

PAMPHLET NUMBER 1

**TENNESSEE CODE
ANNOTATED**

**2021
ADVANCE
LEGISLATIVE
SERVICE**

First Extraordinary Session
PUBLIC CHAPTERS 1-4

Regular Session
PUBLIC CHAPTERS 1-200

This Pamphlet Includes Acts Signed
Through April 22, 2021



LexisNexis

Preface

PAMPHLET NUMBER 1

TENNESSEE CODE ANNOTATED

2021 ADVANCE LEGISLATIVE SERVICE

First Extraordinary Session
PUBLIC CHAPTERS 1-4

Regular Session
PUBLIC CHAPTERS 1-200

This Pamphlet Includes Acts Signed
Through April 22, 2021



LexisNexis

LexisNexis and the Knowledge Burst logo are registered trademarks,
and Michie is a trademark of Reed Elsevier Properties Inc., used
under license. Matthew Bender is a registered trademark of
Matthew Bender Properties Inc.

Prepared by the Editorial Staff of the Publisher

With the assistance of PAIGE A. SEALS, REVISOR OF STATUTES
AND EXECUTIVE SECRETARY FOR THE TENNESSEE CODE COMMISSION

COPYRIGHT © 2021

By The State of Tennessee

All Rights Reserved

ISBN 978-1-632-83866-7

(Pub. 48205)

Preface

This Advance Legislative Service is provided as part of the annual supplement service to all subscribers to the Tennessee Code Annotated. Depending upon the availability of acts, pamphlets will be issued at approximately monthly intervals.

The acts are reproduced as received by the publisher, and no corrections or editorial changes have been made.

This pamphlet contains a summary of public acts passed during the First Extraordinary Session and the 2021 Regular Session of the 112th Tennessee General Assembly, the text of these acts, a cumulative table of Tennessee Code Annotated sections which have been amended, repealed, transferred, or added, a table of effective dates, and a cumulative index. The text of acts also contains marginal notes of code sections amended, repealed, transferred, or added, and marginal notes of effective dates. Tennessee Code Annotated section numbers and subsection and subdivision designations are subject to change by the Tennessee Code Commission pursuant to T.C.A. §1-1-108. Section numbers not assigned by the General Assembly are identified by an asterisk in the Table of Sections Affected. In instances where the effective date could not be determined because it is dependent upon some future contingency, an asterisk and footnote have been inserted explaining the contingency.

This pamphlet does not contain notes to recent cases, Attorney General opinions or law review annotations, or Tennessee Code Annotated section corrections or compiler or code commission notes. For this information, please refer to the Advance Code Service.

Please note that any law requiring the expenditure of state funds may be null and void under Tennessee Constitution Art. II, §24, as amended in 1978, unless the first-year funding is approved in the year in which the act is passed.

The publisher has prepared the following aids:

Summary of Acts, beginning on page iii.

Table of Sections Affected, beginning on page xix.

Index, beginning on page 1.

June 2021

LexisNexis

Summary of 2021 Acts

Chapter		Page
1 (1st Ex. Sess.)	Enacts the “Tennessee Learning Loss Remediation and Student Acceleration Act”; requires local education agencies and public charter schools to implement a program of after-school learning mini-camps, learning loss bridge camps, and summer learning camps to remediate student learning loss.	1
2 (1st Ex. Sess.)	Excludes data generated by state assessments administered in the 2020-2021 school year, and data generated by alternative growth models used by LEAs in the 2020-2021 school year to evaluate teachers in non-tested grades and subjects, from certain accountability determinations; revises certain tenure eligibility requirements to account for the unavailability of data due to the cancellation of TCAP tests as a result of the COVID-19 pandemic.	15
3 (1st Ex. Sess.)	Enacts the “Tennessee Literacy Success Act”; requires LEAs to provide foundational literacy skills instruction, provide reading interventions and supports, and administer universal reading screeners to students in kindergarten through grade three to improve reading proficiency.	21
4 (1st Ex. Sess.)	Makes appropriations sufficient to provide the first year’s funding for any act which receives final passage during the first extraordinary session of the 112th General Assembly.	31
1	Authorizes an organization that is authorized to hold an annual event from the period January 1, 2021, through June 30, 2021, to hold the event no later than 60 calendar days after the event date listed in the annual event application, or June 30, 2021, whichever date is earlier.	33
2	Extends the beef promotion board to June 30, 2029.	34
3	Extends the board of chiropractic examiners to June 30, 2026. ..	35
4	Extends the board of communication disorders and sciences to June 30, 2026.	36
5	Extends the board of dentistry to June 30, 2026.	37
6	Extends the board of dispensing opticians to June 30, 2026.	38
7	Extends the board of medical examiners’ committee on physician assistants to June 30, 2026.	39
8	Extends the board of optometry to June 30, 2026.	40
9	Extends the board of podiatric medical examiners to June 30, 2026.	41
10	Extends the board of veterinary medical examiners to June 30, 2026.	42
11	Extends the delta human resource agency to June 30, 2026.	43
12	Extends the department of mental health and substance abuse services to June 30, 2025.	44
13	Extends the East Tennessee human resource agency to June 30, 2026.	45
14	Terminates the egg promotion board with no wind down period. ..	46
15	Extends the First Tennessee human resource agency to June 30, 2026.	47
16	Extends the James K. Polk memorial association to June 30, 2027.	48
17	Extends the Mid-Cumberland human resource agency to June 30, 2026.	49
18	Extends the Northwest Tennessee human resource agency to June 30, 2026.	50
19	Extends the Ocoee River recreation and economic development fund board to June 30, 2028.	51

SUMMARY OF 2021 ACTS

Chapter		Page
20	Extends the pork promotion board to June 30, 2029.....	52
21	Extends the private probation services council to June 30, 2025.	53
22	Extends the South Central Tennessee human resource agency to June 30, 2027.....	54
23	Extends the Southeast Tennessee human resource agency to June 30, 2027.....	55
24	Extends the Southeastern Interstate Forest Fire Protection Compact to June 30, 2027.....	56
25	Extends the Southwest Tennessee human resource agency to June 30, 2026.....	57
26	Extends the state Alzheimer's disease and related dementia advisory council to June 30, 2026.	58
27	Extends the state board of examiners for land surveyors to June 30, 2027.....	59
28	Extends the state forestry commission to June 30, 2027.	60
29	Extends the statewide planning and policy council for the department of mental health and substance abuse services to June 30, 2025.....	61
30	Extends the Tennessee advisory commission on intergovernmental relations to June 30, 2029.....	62
31	Extends the Tennessee aeronautics commission to June 30, 2027.	63
32	Extends the Tennessee athletic commission to June 30, 2025.....	64
33	Codifies the Acts of the 2020 regular and extraordinary sessions.....	65
34	Requires the department to survey all LEAs, public charter schools, and state special schools to determine whether there is a sufficient number of licensed speech-language pathologists in the public schools of this state to meet student needs and report the results of the survey to the education committees of the senate and house of representatives by January 15, 2022.....	66
35	Designates June 12 as "Women's Veterans Day," a day of special observance.	67
36	Authorizes the use of interest and principal deposited into certain special trust funds, which hold proceeds from the sale of certain public property, for capital maintenance of property controlled by the department of intellectual and developmental disabilities and other related purposes.....	68
37	Prohibits state entities subject to review under the Tennessee Governmental Entity Review Law from promulgating rules or adopting policies to exempt members of such entities from rule-making or policy requirements solely by virtue of their status as members.	69
38	Renames the Cumberland Trail State Park the "Justin P. Wilson Cumberland Trail State Park."	70
39	Allows an owner or agent of the owner of real property to, prior to closing on the property, agree or negotiate to sell the property by reference to a subdivision plat before the final subdivision plat is approved by the planning commission.	71
40	Requires that a student's gender for purposes of participation in a public middle school or high school interscholastic athletic activity or event be determined by the student's sex at the time of the student's birth, as indicated on the student's original birth certificate.....	72
41	Extends the advisory council on workers' compensation to June 30, 2025.	74
42	Extends the department of economic and community development to June 30, 2025.....	75

SUMMARY OF 2021 ACTS

vii

Chapter		Page
43	Extends the department of financial institutions to June 30, 2025.	76
44	Extends the Tennessee bureau of investigation to June 30, 2025.	77
45	Extends the Tennessee bureau of investigation to June 30, 2025.	78
46	Extends the Tennessee council on autism spectrum disorder to June 30, 2026.	79
47	Extends the Tennessee dairy promotion committee to June 30, 2029.	80
48	Extends the Tennessee financial literacy commission to June 30, 2027.	81
49	Extends the Tennessee public charter school commission to June 30, 2023.	82
50	Extends the Tennessee public utility commission to June 30, 2027.	83
51	Extends the Tennessee soybean promotion board to June 30, 2029.	84
52	Extends the Tennessee technology development corporation to June 30, 2025.	85
53	Extends the Tennessee wine and grape board to June 30, 2025. .	86
54	Extends the Upper Cumberland human resource agency to June 30, 2026.	87
55	Enacts the “2021 Precious Cargo Act,” which establishes procedures for certain citizens with intellectual or developmental disability or medical condition to communicate specific needs to law enforcement and first responders.	88
56	Clarifies that a motorized wheelchair is not a motor vehicle for purposes of the rules of the road, accidents, and crimes involving motor vehicles.	90
57	Requires that the instruction provided to a student who is identified for intervention through the response to instruction and intervention (RTI2) framework be determined by the student’s local education agency based on the individual student’s needs. .	91
58	Recognizes the Algonquian, the Chickamaugan, the Iroquoian, the Muskogean, the Siouan, and the Yuchean cultural groups as Tennessee’s first peoples.	92
59	Removes residency requirements for a person applying for a retail liquor license.	93
60	Permits service of ex parte orders of protection for up to one year from issuance; creates a lifetime order of protection that can be issued to a victim of certain felony offenses to prohibit the offender from coming about or communicating with the victim.	95
61	Changes the annual application for a certificate of authority by an automobile club or association to a one-time application prior to commencement of operations; provides licenses issued must be renewed annually and include updated documents and information.	99
62	Requires the chief officer of a facility to notify certain persons within a certain time after the death of a person admitted to the facility; requires the department to strive to ensure at least a majority of the members of each regional citizen-based planning and policy council are former service recipients or family members of service recipients; makes other changes relative to mental health and substance abuse services.	100
63	Removes requirement that department veteran service officers be combat veterans.	102
64	Updates references to house of representative committee names.	103

SUMMARY OF 2021 ACTS

Chapter		Page
65	Authorizes the ownership, possession, purchase, and sale of antique gambling machines; prohibits operation by members of the public of any such machine that is on public display.	120
66	Authorizes the sale or purchase of previously titled antique or unique motor vehicles without a motor vehicle dealer license through auction formats that meet certain criteria.	121
67	Clarifies that, except when dealing with an assignment of benefits to a healthcare provider, the rights, duties, or benefits provided by a policy of insurance may be assigned only as expressly provided by the terms of the policy of insurance or as otherwise expressly allowed by the insurer.	123
68	Designates the month of April as "Barber, Beauty, and Health Month."	124
69	Exempts smokeless nicotine products from the tax on tobacco products and cigarettes.	125
70	Creates a sales and use tax exemption and a credit for qualified payroll expenses against an applicant's combined franchise and excise tax liability for qualified film or television productions if the commissioners of revenue and economic and community development determine that the exemption and credit is in the best interests of the state.	127
71	Extends the board of examiners in psychology to June 30, 2026.	132
72	Updates the name, from committee for purchase from the blind and other severely disabled to committee for providing competitive integrated employment for individuals with severe disabilities; extends the committee to June 30, 2026.	133
73	Extends the emergency communications board to June 30, 2025.	134
74	Extends the occupational safety and health review commission to June 30, 2027.	135
75	Extends the Tennessee State University, board of trustees to June 30, 2023.	136
76	Authorizes a person or entity holding a retail package store license, liquor-by-the-drink license, or retail food store wine license to sell or transfer the person's or entity's inventory of alcoholic beverages or wine, as applicable, upon the sale or closure of the establishment to another licensee if certain requirements are met.	137
77	Enacts the "Teacher's Discipline Act," which establishes requirements and procedures for teachers to discipline students in the teachers' classrooms, including relocation of a student.	139
78	Changes, from six months to 12 months, the permitted holding period by a bank for non-real-property acquired in satisfaction of a loan.	145
79	Increases from 20 to 30 years the amount of time within which loans from the drinking water revolving loan fund must be amortized; increases from 30 to 40 years the time within which such loans must be amortized when made to disadvantaged communities.	146
80	Prohibits a homeowners' association from prohibiting the use of a sign posted to warn the public of health, safety, or dangerous natural conditions associated with water on the property in certain circumstances; clarifies date of application of prohibition on HOA prohibiting property owners from displaying flags.	147
81	Extends the regional transportation authority of Middle Tennessee to June 30, 2024.	148

Chapter		Page
82	Extends the alcoholic beverage commission to June 30, 2027; requires the commission to report back to the government operations subcommittee by December 31, 2021 for an update of the findings on the 2020 performance audit.....	149
83	Enacts the “2020 Defense Doctrine,” which adds imminent danger of grave sexual abuse as a justification for the use of deadly force in self-defense and to defenses of duress and use of deadly force by law enforcement officer; defines grave sexual abuse as rape, aggravated rape, rape of a child, or aggravated rape of a child.	150
84	Requires that petitions for appointment of a conservator include results of searches of the proposed conservator in the department of health’s registry of persons who have abused, neglected, or misappropriated the property of vulnerable persons and the national sex offender registry.	152
85	Requires corporations to implement certain measures and maintain certain records when allowing shareholder meetings to be conducted by remote means.	153
86	Excludes from the definition of “tangible personal property” for sales and use tax purposes certain mains, pipes, pipelines, and tanks and certain railroads, railroad structures, substructures, tracks and the metal thereon, branches, switches, and other improvements thereon; deems all as realty upon installation for purposes of sales tax laws.....	154
87	Creates a private right of action for owners, assignees, agents, or licensees of commercial recordings or audiovisual works electronically disseminated in violation of the True Origin of Goods Act; clarifies that no criminal penalty is incurred with a violation of the Act.	155
88	Transfers administration of construction service provider registration from the secretary of state to the bureau of workers’ compensation.	157
89	Designates June 19 of each year as “Juneteenth,” a day of special observance.	160
90	Removes liability of a general contractor, intermediate contractor, or subcontractor for workers’ compensation to a construction services provider for injuries occurring during the time period of December 9, 2019, through September 9, 2021, if certain conditions are met.	161
91	Increases existing fees, and adds additional fees, that an industrial loan and thrift company, industrial investment company, or industrial bank may charge to service various loans.....	162
92	Extends and expands provisions regarding the process of selecting persons to fill certain positions at a public institution of higher education in this state.....	164
93	Expands the right of a person to place political campaign signs on their property for a certain time to all elections rather than only general elections as provided under the Tennessee Freedom of Speech Act.....	165
94	Authorizes direct payments to be made to a business entity solely owned by a broker, affiliate broker, or other licensee licensed by the real estate commission formed for the purpose of receiving compensation for the broker, affiliate broker, or other licensee.	166
95	Designates the month of June as “African-American Music Appreciation Month.”	167

SUMMARY OF 2021 ACTS

Chapter		Page
96	Specifies that local boards of education and governing bodies of public charter schools, as applicable, have the sole authority to open or close schools during a public health emergency; authorizes the board or governing body to delegate that authority to the director of schools or school administrator, as applicable.	168
97	Converts special purpose boat dealer plates to boat transport plates; authorizes persons or businesses that transport boats for hire to be issued special purpose boat transport plates in addition to manufacturers and dealers of boats.	170
98	Authorizes an incentive program established by the board of claims to include policies and procedures for the effective and efficient administration of claims; authorizes those policies and procedures to establish the timeframe and content for the agency response relative to claims and the imposition of fines and penalties for noncompliance.	172
99	Authorizes loans from the wastewater facility revolving loan fund for privately owned for-profit community wastewater treatment systems that are subject to state regulation and meet certain financial qualifications; expands the definition of local government under the Wastewater Facilities Act of 1987 to include a privately owned community wastewater treatment system subject to regulation by the Tennessee public utility commission, whether for-profit or not-for-profit.	173
100	Authorizes property managers to testify against tenants in the same manner as landlords or owners of rental property.	175
101	Removes the adoption contact veto registry and revises other provisions governing adoption.	176
102	Sets time limits on the filing of claims by the bureau of TennCare against TennCare recipients' estates.....	181
103	Expands the definitions of Class I off-highway vehicles and all-terrain vehicles to include those off-highway vehicles with a total dry weight up to 3,500 pounds; clarifies that the width of such vehicles must be measured from the outside of the tire rim to the outside of the tire rim.....	182
104	Revises the sentence for aggravated rape of a child when committed by a juvenile, as required by the U.S. Supreme Court in Miller v. Alabama, from mandatory life imprisonment without parole to a Class A felony to be sentenced within Range III; applies to sentences imposed on or after July 1, 2021; specifies that a person who was a juvenile at the time of committing the offense of aggravated rape of a child must serve 100 percent of the sentence imposed less sentence credits earned and retained, not to reduce the sentence imposed by more than 15 percent.....	184
105	Permits a child to be detained in a secure facility when there is probable cause to believe the child has committed certain offenses involving burglary, robbery, or theft of a motor vehicle; removes restrictions on the juvenile court's authority to order detention for a child who has committed a delinquent act.	185
106	Prohibits a county board of health or county department of health from prohibiting or regulating agriculture except as otherwise authorized by law.	186
107	Enacts "Evelyn Boswell's Law," regarding the reporting of missing and endangered children.....	187
108	Creates an exception to the offense of unlawful carrying of a firearm, if a person meets age requirements, lawfully possesses the handgun, and is in a place that the person is lawfully present; revises other firearm statutes.	189
109	Extends the second look commission to June 30, 2025.....	193
110	Extends the state TennCare pharmacy advisory committee to June 30, 2027.....	194

SUMMARY OF 2021 ACTS

xi

Chapter		Page
111	Extends the board of judicial conduct to June 30, 2025; requires the board to appear before the government operations joint evaluation committee on judiciary and government no later than December 31, 2021, to provide the committee an update on board-related activities.	195
112	Disqualifies for life persons convicted of a human trafficking offense from obtaining a commercial driver license; requires lifetime suspension of commercial driver license for persons convicted of a human trafficking offense.	196
113	Exempts from state and local taxation, all contributions or distributions made to, or on behalf of, participating students pursuant to any individualized education account (IEA).	197
114	Requires the department, in collaboration with other public and private healthcare agencies, to incorporate information about Alzheimer's disease and other dementias into its existing public health programs and services.....	198
115	Replaces the required element for self-defense that the person "not be engaged in unlawful activity" with the required element that the person "not be engaged in conduct that would constitute a felony or Class A misdemeanor"; declares, for purposes of determining if a person has a duty to retreat before threatening or using force in self-defense, that a person is not considered to be engaged in conduct that would constitute a felony or Class A misdemeanor or in a place where the person does not have a right to be if the person is engaged in the activity or in a place due to the person's status as a victim of human trafficking.	200
116	Requires, subject to certain exceptions, a public school to credit a student who participates in an activity or program sponsored by 4-H as present for attendance purposes.....	202
117	Requires applicants for a technician certificate of registration, master barber certificate of registration, barber instructor certificate of registration, cosmetologist license, manicuring license, cosmetology instructor license, aesthetician license, or natural hair styling license to obtain up to one hour of online or in-person training by a nonprofit on domestic violence.	204
118	Designates the poem "My Beloved Tennessee" by Marlene Tidwell as an official state poem.....	209
119	Adds former members of the general assembly who filed notice with the office of vital records while serving in the general assembly to the list of persons authorized to solemnize marriages.	210
120	Declares an act of the general assembly enacted after January 1, 2021, that mandates a discount or waiver of the tuition or fees charged at public institutions of higher education unenforceable against an institution affected by the act unless the general assembly annually appropriates a sum sufficient to fully fund the discount or waiver program at the institution; requires each public institution of higher education to report certain information concerning discount and waiver programs. ..	211
121	Replaces one county elected commissioner position on the board of commissioners for the Citizens Gas Utility District of Scott and Morgan counties with an at-large commissioner position, with such change to coincide with the district's August 2025 election.	213

Chapter		Page
122	Extends the expiration date for the ground ambulance provider assessment from June 30, 2021, to June 30, 2022; requires, if the quarterly transport data is not adequate or available for the calculation of medicaid ambulance provider assessments, that the bureau of TennCare use total transports submitted to the office of emergency medical services for calendar year 2020, instead of using such data for calendar year 2019.....	215
123	Authorizes off-highway vehicle operation on certain segments of Mill Creek Road, Dyna Tex Road, and Old Burrville Road, all within Sunbright, in Morgan County.....	216
124	Authorizes a home health service to provide care in accordance with orders recorded by an advanced practice registered nurse or physician assistant in addition to those recorded by a physician; authorizes electronic transmission of orders from an advanced practice registered nurse or physician assistant.	217
125	Revises various provisions regarding initial educator licensure, advancement, and renewal, including requiring the state board, when issuing an educator license to an out-of-state educator, to issue a license that is equivalent to the license the educator possesses in another state.....	218
126	Increases from \$100 to \$300 the maximum per diem payment to a member of the board of commissioners of a water and wastewater treatment authority for attending a board meeting, not to exceed six board meetings per calendar year.....	220
127	Removes the filing requirement for municipal and utility district travel and expense reimbursement policies, and any amendments to the policies, and instead requires the policies and amendments be made available for review and audit by the comptroller or the comptroller's designee.....	221
128	Requires that certain notes issued by governing bodies of municipalities related to public works projects be approved by the comptroller of the treasury or the comptroller's designee; makes other revisions to provisions governing bonds and notes issued by local governments.	222
129	Requires that the community services agency board's annual plan of operation be approved and amended, as necessary, only by the commissioner of finance and administration rather than by the commissioner and the comptroller of the treasury.....	236
130	Removes the one-year experience requirement for doctorate level physical therapists for purposes of the direct access practice exception; requires physical therapists without a doctorate to meet certain educational requirements for purposes of the direct access practice exception.....	237
131	Authorizes human resource agencies to obtain insurance in lieu of surety bonds to ensure the lawful performance by agency officials and employees of their fiduciary duties and responsibilities.	238
132	Designates the first Friday in October of each year as "Tennessee Manufacturing Day" as a day of special observance.	240
133	Specifies, for purposes of the appointment of a conservator, the county of residence of a person incarcerated in a department of correction facility as the county in which the facility is located and the county of residence of a person involuntarily hospitalized in an institution of the department of mental health and substance abuse services as the county in which the institution is located.	242
134	Makes various changes to the Special Education Behavioral Supports Act, including the use of isolation and physical holding restraints.	243

Chapter		Page
135	Authorizes the commissioner to commission environmental investigative enforcement officers; specifies circumstances under which park rangers and other law enforcement officers within the department may operate outside parks and other specific areas.....	249
136	Makes various revisions to the controlled substance monitoring database.....	251
137	Requires that a Class H or hardship license issued to a minor holding a Class P license or instructional permit expires on the date the Class P license or instructional permit expires.....	253
138	Enacts the “Commercial Property Assessed Clean Energy and Resilience Act.”.....	254
139	Exempts from the sales and use tax online access to continuing education courses that meet regulatory requirements for licensed individuals and that are offered by organizations that have received a determination of exemption from the IRS as a charitable organization or business association.....	264
140	Revises the coverage and application process of certain co-applicants to the home address confidentiality program established by the secretary of state.....	265
141	Imposes requirements on the operation of alkaline hydrolysis facilities and the use of alkaline hydrolysis in this state.	269
142	Adds to those acquired infectious diseases for which an emergency rescue worker is given a presumption to have a disability suffered in the line of duty a virus or other communicable disease for which a pandemic has been declared by the World Health Organization or the federal centers for disease control and prevention, and for which the governor has declared a state of emergency.	278
143	Makes certain changes to the practice of occupational therapy, including authorizing the practice of dry needling of the upper limb, authorizing the making of certain treatment diagnoses, and authorizing practice via telehealth; authorizes the practice of physical therapy via telehealth.	280
144	Requires the department to combine all moneys received and expenses incurred pursuant to the Tennessee Credit Services Businesses Act and the Uniform Debt-Management Services Act into a single fund for the purpose of administering the acts.	282
145	Adds the Tennessee corn promotion board to the Tennessee governmental review and extends the board to June 30, 2023.....	283
146	Increases, from four years to six years, the maximum period of time that a contractual agreement between a director of schools and a school transportation employee and between a board of education and a person owning equipment for transportation services is authorized.	284
147	Expands the unruly act of illegal use of a communication device by a minor to include possessing or transmitting an image of sexual activity involving a minor.	285
148	Requires the board for licensing health care facilities to promulgate emergency rules no later than July 1, 2021, to permit persons who qualified as temporary nurse aides on or after the beginning date of the national public health emergency declared January 31, 2020, to become certified as nursing assistants in this state and be placed on the nurse aide registry.....	286
149	Makes changes with regard to compounding pharmacies, including allowing out-of-state pharmacy practice sites to provide certain inspections, equivalent to what are currently required, if accepted by the Tennessee board of pharmacy and removing the requirement that pharmacies engaging in sterile compounding have to make certain quarterly reports to the board.....	287

SUMMARY OF 2021 ACTS

Chapter		Page
150	Grants certain liability protections to, and confidentiality privileges for records of, certain federally qualified health centers and quality improvement committees formed or retained by the federally qualified health centers.....	289
151	Requires a homeowners' association to provide, upon written request of a member, a record of certain information in a vote to amend a declaration that prohibits or effectively prohibits the use of residential property as a long-term rental property; creates a vested right in an owner to use single-family residential property as long-term rental property if certain conditions exist; requires business entity owners of residential property to notify a homeowners' association of certain information.	290
152	Authorizes the court of workers' compensation claims to award additional attorneys' fees and costs incurred when an employer wrongfully denies a claim or wrongfully fails to timely initiate benefits to which the employee or dependent is entitled for injuries that occur between July 1, 2021, and June 30, 2023.....	293
153	Redefines store-and-forward telemedicine services for purposes of establishment of provider-patient relationships and standards of practice.....	294
154	Requires that certain amounts received from certain COVID-related relief be subtracted from net earnings and losses for excise tax purposes.....	295
155	Enacts the "Business Fairness Act," allowing businesses that comply with safety precautions and guidelines issued by the government or authorized agency during declared states of emergency to continue or resume business.....	297
156	Revises provisions governing a department, agency, or instrumentality of a participating political subdivision becoming a separate local government entity from the political subdivision. .	298
157	Requires the department of health, in coordination with the department of education, to disseminate the information to students in public middle schools, junior high schools, and senior high schools in this state.	300
158	Extends for an additional six years to June 30, 2028, the temporary tax on bottles of soft drinks and barrels of beer to fund programs for the prevention and collection of litter; makes other related revisions.....	302
159	Extends the state textbook and instructional materials quality commission to June 30, 2023; requires the commission to report back to the government operations committee no later than December 31, 2021, to update the committee on its progress in addressing the committee.....	303
160	Creates the professional art therapist advisory committee of the board of examiners in psychology to regulate the practice of art therapy.	304
161	Permits school child abuse coordinators, school teachers, school officials, and other school personnel to provide information relevant to suspected child abuse or child sexual abuse to the child's parents when required by federal law or regulation, the parent to whom the notification is made is not alleged to be the perpetrator or in any way complicit in the abuse or neglect, and the notification is done in conjunction with the department of children's services.....	314
162	Authorizes a Parents' Day Out or similar program operated by a religious institution or organization to provide 12-hour per week child care services in whatever block of time desired.....	315

SUMMARY OF 2021 ACTS

xv

Chapter		Page
163	Requires the department of children's services to require a person receiving financial assistance for adoption from the department to provide verification from the adopted child's current medical or mental health professional provider or verification of full-time school enrollment from the school the child attends.....	316
164	Removes custody, visitation, or inheritance rights for a parent who has been convicted of aggravated statutory rape, statutory rape by an authority figure, or lesser included offenses of rape, from which crime the child was conceived.....	317
165	Expands the scope of the Chickasaw Basin Authority to include all counties located within the drainage area of the authority. ...	318
166	Expands the type of equipment for which law enforcement agencies may exchange confiscated weapons to include any equipment suitable for use for legitimate law enforcement purposes.....	319
167	As introduced, designates September 14 of each year as "Star-Spangled Banner Day," a day of special observance.....	320
168	Requires that female inmates who are 50 through 74 years of age be offered a mammogram or other appropriate screening every two years; requires that female inmates who are 40 through 49 years of age be offered a physician consultation to inquire when a mammogram is needed; requires correctional institutions, which does not include city or county jails, to the best of their ability, to provide educational training on the importance of preventative health care to the inmates.	321
169	Provides that out-of-state medical records evidencing the immunization of a dependent child of a military parent against each of the diseases designated by the commissioner of health as required for attendance at any school or child care facility in this state are sufficient without requiring the child's parent to present the child for medical evaluation in this state to obtain a certificate of immunization.	322
170	Enacts the "SEM Advancement Act," which requires a local board of education or charter school governing body to develop and adopt a policy that establishes criteria for the enrollment of students in grades seven through 12 into available advanced English language arts, mathematics, and science courses.....	323
171	Eliminates the condition that a first lienholder or the first lienholder's designee may only file an application for a motor vehicle temporary lien with the secretary of state when a manufacturer's statement of origin or an existing certificate of title on a motor vehicle is unavailable.....	326
172	Authorizes a department, institution, office, or agency of the state to enter into an agreement with a third party to collect state funds on its behalf under which the third party is permitted to deduct its service fee from the funds collected prior to deposit when such agreement is approved in accordance with present law governing procurement; requires the chief procurement officer to file an annual report listing such approved contracts with the chairs of the finance, ways and means committees of the house and senate.	327
173	Authorizes a state department or agency to update signage on state property indicating accessibility for persons with disabilities within existing resources.....	328
174	Clarifies that the mounting or placement of a trailer hitch ball in front of a registration plate will not be considered when making a determination whether the registration plate is clearly visible.	329

Chapter		Page
175	Requires the placement of a monument or statue honoring David Crockett on a pedestal above the entrance to Motlow Tunnel; prohibits the use of state funds for the relocation of any existing structures.	330
176	Clarifies that the existing requirement for drivers of motorcycles to wear a helmet applies to drivers of autocycles that are not fully enclosed.....	331
177	Requires persons working with certain electrical equipment to meet certain requirements; makes that electrical equipment subject to inspection by a state-certified electrical inspector; prohibits liability against certain electric systems arising from those persons working with that electrical equipment; requires that copies of the national standards be available for public viewing.	332
178	Requires department of transportation to report, on or before November 1, 2021, and on or before November 1 of each year between 2022 - 2026, to the transportation committee of the house and the transportation and safety committee of the senate on the data collected on the following website, or any successor website, established by the federal railroad administration (FRA) for the public and law enforcement agencies to report blocked highway-rail grade crossings: www.fra.dot.gov/blockedcrossings	334
179	Authorizes unlicensed graduates and students of certain medical training programs to provide telehealth services as long as those graduates and students adhere to the same standards for the provision of telehealth services that licensed medical professionals must meet.	335
180	Allows LEAs and private or church-related schools to use excess instructional time accumulated during the school year for serious outbreaks of illness affecting or endangering students or staff without requiring approval from the commissioner of education to do so.	337
181	Requires either a licensed attorney or the custodian of the original version of an electronic document, instead of the custodian of the electronic version, to certify the electronic document for registration by a county register.....	338
182	Prohibits the governing body in a county in which the Uniform Residential Landlord and Tenant Act applies from enacting or enforcing regulations in conflict with, or in addition to, the Act; changes the applicability of the Act so that a county that is not under the Act now will not come under the Act even if the county's population increases to be more than 75,000 in subsequent years.....	340
183	Consolidates some of the commission's reports; changes various other conditions of the commission's reports and reports to the commission.....	341
184	Requires the juvenile court clerk and the department of mental health and substance abuse services to report certain juvenile justice information to the administrative office of the courts each month; deletes certain reporting to the council of juvenile and family court judges.....	346
185	Authorizes a delivery service licensee to charge a fee based on a percentage of the sales of the alcoholic beverages or beer being delivered; limits the fee to no more than 10 percent of the price of each alcoholic beverage or beer sold.....	350

Chapter		Page
186	Enacts “Terrence’s Law,” which requires the bureau to conduct an annual review of all medications and forms of treatment for sickle cell disease, and services for enrollees with a diagnosis of sickle cell disease that are eligible for coverage under the medical assistance program; requires the bureau to solicit and consider input from the public when conducting the annual review; requires annual report to the general assembly.	351
187	Clarifies “premises” for purposes of the sale of alcoholic beverages for on-premises consumption in regard to establishments licensed for such sales in Clarksville within or adjacent to a certain specified area in downtown near the riverwalk; authorizes Clarksville to, by ordinance, reduce or prescribed the hours and days upon which alcoholic beverages, beer, and wine may be consumed in the specified area, within the limits of general law.	352
188	Confers immunity from civil liability upon a teacher, principal, school employee, or school bus driver properly using reasonable force to correct or restrain a student or prevent bodily harm or death to another person.	354
189	Revises and rearranges certain provisions governing construction services providers, the penalties for noncompliance of insurance requirements, and the exemption from having workers’ compensation insurance; revisions to be effective from July 1, 2021, until July 1, 2024.	355
190	Expands the factors a court may consider in determining whether termination of parental rights is in the best interest of the child; clarifies that the court is not required to consider all factors and may consider relevant factors other than those listed.	363
191	Authorizes the use of HIPAA-compliant audio-only conversation when providing behavioral health provider-based telemedicine services if HIPPA-complaint real-time, interactive audio, video telecommunications, or electronic technology, or store-and-forward telemedicine services are unavailable.	366
192	Requires each state agency to submit, on or before February 1 of each year, a report to members of the finance, ways and means committees summarizing amounts of federal block grants and purposes for which funds were expended, including any unexpended or returned portions.	367
193	Makes certain changes to the types of procurement contracts that are subject to review and approval by the comptroller of the treasury; alters the timing of such review and approval.	368
194	Deletes references to the office of local government within the office of the comptroller of the treasury and clarifies that the comptroller performs the duties of the former office of local government.	369
195	Deletes requirement that the comptroller of the treasury must conduct an annual audit of the Tennessee bureau of investigation regarding the bureau’s receipt and use of the \$15 portion of the handgun carry permit application fee to be used exclusively for updating and maintaining the fingerprint criminal history database.	371
196	Enacts the “Uniformity in Local Government Lease Financing Act of 2021.”	372
197	Requires certain state agencies to seek funding for the development of substance use disorder recovery programs for pregnant women and women with children; requires those agencies to annually report to the general assembly certain information about the recovery programs and funding.	376

Chapter		Page
198	Exempts from the definition of “contractor” for purposes of the Contractors Licensing Act of 1994 persons who erect or install certain on-premises advertising signs and displays.	377
199	Replaces one of the consumer member appointments to the board of chiropractic examiners with the appointment of a member who is a chiropractic X-ray technician or chiropractic therapy assistant certified in this state not less than two years..	378
200	Provides each member of a board created pursuant to the Interlocal Cooperation Act for the purpose of providing service to two or more counties with up to \$300 per month compensation, the exact amount of which will be determined by resolution of such board; authorizes the board to provide certain other benefits.	379

CUMULATIVE TABLE OF SECTIONS AFFECTED

T.C.A. Sec.	Action	Ch. No.	Bill No.	Sec. No.	Eff. Date	Pamphlet No.
1-1-108	Amended	64	sb0785	1	03-29-21	1
1-2-114	Amended	33	sb0108	1	03-23-21	1
2-3-101	Amended	194	sb0541	1	04-22-21	1
2-3-102	Amended	194	sb0541	2	04-22-21	1
2-3-105	Amended	194	sb0541	3	04-22-21	1
2-3-304	Amended	194	sb0541	4	04-22-21	1
2-7-143	Amended	93	hb0500	1	07-01-21	1
3-1-102	Amended	194	sb0541	5	04-22-21	1
3-1-103	Amended	194	sb0541	6	04-22-21	1
3-5-101	Amended	64	sb0785	2	03-29-21	1
3-17-103	Amended	1	sb0004	1	03-23-21	1
4-1-303	Amended	118	sb0254	1	04-13-21	1
4-1-421	Added*	58	sb0243	1	03-29-21	1
4-3-101	Amended	12	sb0051	2	03-23-21	1
4-3-101	Amended	42	sb0049	2	03-29-21	1
4-3-101;						
4-3-401	Amended	43	sb0050	2	03-29-21	1
4-3-701	Amended	42	sb0049	2	03-29-21	1
4-3-1013	Amended	64	sb0785	3	03-29-21	1
4-3-1601	Amended	12	sb0051	2	03-23-21	1
4-3-2711	Amended	46	sb0085	2	03-29-21	1
4-8-403	Amended	175	hb0220	1	04-20-21	1
4-10-102	Amended	30	sb0079	2	03-23-21	1
4-13-201	Amended	16	sb0057	2	03-23-21	1
4-14-301	Amended	52	sb0093	2	03-29-21	1
4-16-101,						
4-16-102	Repealed	194	sb0541	7	04-22-21	1
4-29-125	Added*	37	sb1123	1	03-23-21	1
4-29-242	Amended	2	sb0033	1	03-23-21	1
4-29-242	Amended	3	sb0034	1	03-23-21	1
4-29-242	Amended	4	sb0035	1	03-23-21	1
4-29-242	Amended	5	sb0036	1	03-23-21	1
4-29-242	Amended	6	sb0037	1	03-23-21	1
4-29-242	Amended	7	sb0039	1	03-23-21	1
4-29-242	Amended	8	sb0041	1	03-23-21	1
4-29-242	Amended	9	sb0042	1	03-23-21	1
4-29-242	Amended	10	sb0043	1	03-23-21	1
4-29-242	Amended	11	sb0047	1	03-23-21	1
4-29-242	Amended	12	sb0051	1	03-23-21	1
4-29-242	Amended	13	sb0052	1	03-23-21	1
4-29-242	Amended	14	sb0054	1	03-23-21	1
4-29-242	Amended	15	sb0056	1	03-23-21	1
4-29-242	Amended	16	sb0057	1	03-23-21	1
4-29-242	Amended	17	sb0058	1	03-23-21	1
4-29-242	Amended	18	sb0060	1	03-23-21	1
4-29-242	Amended	19	sb0062	1	03-23-21	1
4-29-242	Amended	20	sb0063	1	03-23-21	1
4-29-242	Amended	21	sb0064	1	03-23-21	1

*Section numbers supplied by the publisher and the code commission.

CUMULATIVE TABLE OF SECTIONS AFFECTED

T.C.A. Sec.	Action	Ch. No.	Bill No.	Sec. No.	Eff. Date	Pamphlet No.
4-29-242	Amended	22	sb0067	1	03-23-21	1
4-29-242	Amended	23	sb0068	1	03-23-21	1
4-29-242	Amended	24	sb0069	1	03-23-21	1
4-29-242	Amended	25	sb0070	1	03-23-21	1
4-29-242	Amended	26	sb0071	1	03-23-21	1
4-29-242	Amended	27	sb0073	1	03-23-21	1
4-29-242	Amended	28	sb0074	1	03-23-21	1
4-29-242	Amended	29	sb0078	1	03-23-21	1
4-29-242	Amended	30	sb0079	1	03-23-21	1
4-29-242	Amended	31	sb0080	1	03-23-21	1
4-29-242	Amended	32	sb0081	1	03-23-21	1
4-29-242	Amended	41	sb0030	1	03-29-21	1
4-29-242	Amended	42	sb0049	1	03-29-21	1
4-29-242	Amended	43	sb0050	1	03-29-21	1
4-29-242	Amended	44	sb0083	1	03-29-21	1
4-29-242	Amended	45	sb0084	1	03-29-21	1
4-29-242	Amended	46	sb0085	1	03-29-21	1
4-29-242	Amended	47	sb0086	1	03-29-21	1
4-29-242	Amended	48	sb0087	1	03-29-21	1
4-29-242	Amended	49	sb0088	1	03-29-21	1
4-29-242	Amended	50	sb0089	1	03-29-21	1
4-29-242	Amended	51	sb0090	1	03-29-21	1
4-29-242	Amended	52	sb0093	1	03-29-21	1
4-29-242	Amended	53	sb0094	1	03-29-21	1
4-29-242	Amended	54	sb0096	1	03-29-21	1
4-29-242	Amended	71	hb0264	1	03-29-21	1
4-29-242	Amended	72	hb0272	1	03-29-21	1
4-29-242	Amended	73	hb0280	1	03-29-21	1
4-29-242	Amended	74	hb0286	1	03-29-21	1
4-29-242	Amended	75	hb0311	1	03-29-21	1
4-29-242	Amended	81	hb0254	1	03-31-21	1
4-29-242	Amended	82	hb0257	1	03-31-21	1
4-29-242	Amended	109	sb0066	1	04-13-21	1
4-29-242	Amended	110	sb0075	1	04-13-21	1
4-29-242	Amended	111	sb0082	1	04-13-21	1
4-29-242	Amended	159	sb0076	1	04-20-21	1
4-29-244	Amended	49	sb0088	2	03-29-21	1
4-29-244	Amended	75	hb0311	2	03-29-21	1
4-29-244	Amended	145	sb1084	1	04-13-21	1
4-29-244	Amended	159	sb0076	2	04-20-21	1
4-29-244	Amended	160	sb0101	1	07-01-22	1
4-29-245	Amended	81	hb0254	2	03-31-21	1
4-29-246	Amended	12	sb0051	2	03-23-21	1
4-29-246	Amended	21	sb0064	2	03-23-21	1
4-29-246	Amended	29	sb0078	2	03-23-21	1
4-29-246	Amended	32	sb0081	2	03-23-21	1
4-29-246	Amended	41	sb0030	2	03-29-21	1
4-29-246	Amended	42	sb0049	2	03-29-21	1
4-29-246	Amended	43	sb0050	2	03-29-21	1
4-29-246	Amended	44	sb0083	2	03-29-21	1
4-29-246	Amended	52	sb0093	2	03-29-21	1
4-29-246	Amended	53	sb0094	2	03-29-21	1

*Section numbers supplied by the publisher and the code commission.

CUMULATIVE TABLE OF SECTIONS AFFECTED

xxi

T.C.A. Sec.	Action	Ch. No.	Bill No.	Sec. No.	Eff. Date	Pamphlet No.
4-29-246	Amended	73	hb0280	2	03-29-21	1
4-29-246	Amended	109	sb0066	2	04-13-21	1
4-29-246	Amended	111	sb0082	2	04-13-21	1
4-29-247	Amended	3	sb0034	2	03-23-21	1
4-29-247	Amended	4	sb0035	2	03-23-21	1
4-29-247	Amended	5	sb0036	2	03-23-21	1
4-29-247	Amended	6	sb0037	2	03-23-21	1
4-29-247	Amended	7	sb0039	2	03-23-21	1
4-29-247	Amended	8	sb0041	2	03-23-21	1
4-29-247	Amended	9	sb0042	2	03-23-21	1
4-29-247	Amended	10	sb0043	2	03-23-21	1
4-29-247	Amended	11	sb0047	2	03-23-21	1
4-29-247	Amended	13	sb0052	2	03-23-21	1
4-29-247	Amended	15	sb0056	2	03-23-21	1
4-29-247	Amended	17	sb0058	2	03-23-21	1
4-29-247	Amended	18	sb0060	2	03-23-21	1
4-29-247	Amended	25	sb0070	2	03-23-21	1
4-29-247	Amended	26	sb0071	2	03-23-21	1
4-29-247	Amended	45	sb0084	2	03-29-21	1
4-29-247	Amended	46	sb0085	2	03-29-21	1
4-29-247	Amended	54	sb0096	2	03-29-21	1
4-29-247	Amended	71	hb0264	2	03-29-21	1
4-29-247	Amended	72	hb0272	2	03-29-21	1
4-29-248	Amended	16	sb0057	2	03-23-21	1
4-29-248	Amended	22	sb0067	2	03-23-21	1
4-29-248	Amended	23	sb0068	2	03-23-21	1
4-29-248	Amended	24	sb0069	2	03-23-21	1
4-29-248	Amended	27	sb0073	2	03-23-21	1
4-29-248	Amended	28	sb0074	2	03-23-21	1
4-29-248	Amended	31	sb0080	2	03-23-21	1
4-29-248	Amended	48	sb0087	2	03-29-21	1
4-29-248	Amended	50	sb0089	2	03-29-21	1
4-29-248	Amended	74	hb0286	2	03-29-21	1
4-29-248	Amended	82	hb0257	2	03-31-21	1
4-29-248	Amended	110	sb0075	2	04-13-21	1
4-29-249	Amended	19	sb0062	2	03-23-21	1
4-29-250	Added	2	sb0033	2	03-23-21	1
4-29-250	Amended	20	sb0063	2	03-23-21	1
4-29-250	Amended	30	sb0079	2	03-23-21	1
4-29-250	Amended	47	sb0086	2	03-29-21	1
4-29-250	Amended	51	sb0090	2	03-29-21	1
4-51-109	Amended	64	sb0785	4	03-29-21	1
4-51-111	Amended	64	sb0785	5	03-29-21	1
4-56-108	Amended	193	sb0540	1-3	04-22-21	1
5-16-103	Amended	200	sb0614	1	04-22-21	1
6-54-903	Amended	127	sb0537	1	04-13-21	1
7-34-111	Amended	128	sb0539	1	04-13-21	1
7-51-209	Amended	142	sb0995	1, 2	04-13-21	1
7-82-309	Amended	127	sb0537	2	04-13-21	1
7-86-114	Amended	128	sb0539	2	04-13-21	1
7-86-302	Amended	73	hb0280	2	03-29-21	1
8-4-103	Added*	194	sb0541	8	04-22-21	1

*Section numbers supplied by the publisher and the code commission.

CUMULATIVE TABLE OF SECTIONS AFFECTED

T.C.A. Sec.	Action	Ch. No.	Bill No.	Sec. No.	Eff. Date	Pamphlet No.
8-7-315	Amended	64	sb0785	6	03-29-21	1
8-14-104	Amended	64	sb0785	7	03-29-21	1
8-14-308	Amended	64	sb0785	8	03-29-21	1
8-35-248	Amended	156	sb0008	1	04-20-21	1
8-36-714	Amended	64	sb0785	9	03-29-21	1
9-4-213	Amended	64	sb0785	10	03-29-21	1
9-4-301	Amended	172	hb0076	1, 2	04-20-21	1
9-4-5406	Added*	192	sb0485	1	04-22-21	1
9-8-108	Amended	98	sb0372	1	04-07-21	1
9-21-105	Amended	128	sb0539	3-5	04-13-21	1
9-21-127	Amended	128	sb0539	6	04-13-21	1
9-21-132	Amended	128	sb0539	7	04-13-21	1
9-21-134	Amended	128	sb0539	8	04-13-21	1
9-21-205	Amended	128	sb0539	9	04-13-21	1
9-21-408	Amended	128	sb0539	10	04-13-21	1
9-21-601	Amended	128	sb0539	11	04-13-21	1
9-21-602	Amended	128	sb0539	12	04-13-21	1
9-21-604	Amended	128	sb0539	13	04-13-21	1
9-21-605	Repealed	128	sb0539	14	04-13-21	1
9-21-606	Amended	128	sb0539	15	04-13-21	1
9-21-607	Amended	128	sb0539	16	04-13-21	1
9-21-608	Repealed	128	sb0539	17	04-13-21	1
9-21-609	Amended	128	sb0539	18	04-13-21	1
9-21-610	Repealed	128	sb0539	19	04-13-21	1
9-21-612	Amended	128	sb0539	20	04-13-21	1
9-21-901	Amended	128	sb0539	21	04-13-21	1
9-21-1001	Amended	128	sb0539	22	04-13-21	1
9-24-101 -						
9-24-106	Added	196	sb0547	1	04-22-21	1
11-1-101	Amended	135	sb0741	1	04-13-21	1
11-3-107	Amended	135	sb0741	2	04-13-21	1
11-3-116	Added*	38	sb1583	1	03-23-21	1
11-4-201	Amended	28	sb0074	2	03-23-21	1
11-4-501	Amended	24	sb0069	2	03-23-21	1
11-8-104	Amended	19	sb0062	2	03-23-21	1
11-11-203	Amended	103	sb1046	2	04-07-21	1
12-2-117	Amended	36	sb0744	1, 2	07-01-21	1
12-2-123	Amended	173	hb0099	1	04-20-21	1
12-10-116	Amended	128	sb0539	23	04-13-21	1
13-3-410	Amended	39	hb0407	1-3	03-23-21	1
13-4-306	Amended	39	hb0407	4-6	03-23-21	1
13-26-102	Amended	11	sb0047	2	03-23-21	1
13-26-102	Amended	13	sb0052	2	03-23-21	1
13-26-102	Amended	15	sb0056	2	03-23-21	1
13-26-102	Amended	17	sb0058	2	03-23-21	1
13-26-102	Amended	18	sb0060	2	03-23-21	1
13-26-102	Amended	22	sb0067	2	03-23-21	1
13-26-102	Amended	23	sb0068	2	03-23-21	1
13-26-102	Amended	25	sb0070	2	03-23-21	1
13-26-102	Amended	54	sb0096	2	03-29-21	1
13-26-110	Amended	131	sb0599	1	04-13-21	1
15-2-135	Added*	35	sb0390	1	03-23-21	1

*Section numbers supplied by the publisher and the code commission.

CUMULATIVE TABLE OF SECTIONS AFFECTED

xxiii

T.C.A. Sec.	Action	Ch. No.	Bill No.	Sec. No.	Eff. Date	Pamphlet No.
15-2-136	Added*	68	sb1419	1	03-29-21	1
15-2-137	Added*	89	hb0394	1	04-07-21	1
15-2-138	Added*	95	hb0826	1	04-07-21	1
15-2-139	Added*	132	sb0617	1	07-01-21	1
15-2-140	Added*	167	sb0316	1	04-20-21	1
16-1-117	Amended	64	sb0785	11	03-29-21	1
16-1-119	Amended	64	sb0785	12	03-29-21	1
16-3-803	Amended	64	sb0785	13	03-29-21	1
16-3-901	Amended	21	sb0064	2	03-23-21	1
16-18-311	Amended	64	sb0785	14	03-29-21	1
16-21-111	Amended	64	sb0785	15	03-29-21	1
17-1-107	Amended	64	sb0785	16	03-29-21	1
17-2-309	Amended	64	sb0785	17	03-29-21	1
17-5-201	Amended	111	sb0082	2	04-13-21	1
17-5-202	Amended	64	sb0785	18	03-29-21	1
29-3-110	Amended	64	sb0785	19	03-29-21	1
29-20-408	Amended	64	sb0785	20	03-29-21	1
30-2-310	Amended	102	sb0761	1	04-07-21	1
33-1-312	Added*	197	sb0574	1	04-22-21	1
33-1-401	Amended	29	sb0078	2	03-23-21	1
33-2-203	Amended	62	sb0753	4	03-29-21	1
33-2-901	Amended	62	sb0753	1	03-29-21	1
33-4-109	Amended	62	sb0753	2, 3	03-29-21	1
34-3-101	Amended	133	sb0729	1	04-13-21	1
34-3-104	Amended	84	hb0100	1	01-01-22	1
36-1-102	Amended	101	sb0723	1-3	07-01-22	1
36-1-111	Amended	101	sb0723	4	07-01-22	1
36-1-113	Amended	190	sb0205	1	04-22-21	1
36-1-126	Amended	101	sb0723	5-10	07-01-22	1
36-1-127	Amended	101	sb0723	11-16	07-01-22	1
36-1-128 -						
36-1-132	Repealed	101	sb0723	17	07-01-22	1
36-1-133	Amended	101	sb0723	18	07-01-22	1
36-1-134	Amended	101	sb0723	19, 20	07-01-22	1
36-1-137	Amended	101	sb0723	21	07-01-22	1
36-1-138	Amended	101	sb0723	22-24	07-01-22	1
36-1-141	Amended	101	sb0723	25-27	07-01-22	1
36-3-301	Amended	119	sb0309	1, 2	04-13-21	1
36-3-609	Amended	60	sb0621	1	07-01-21	1
36-3-617	Amended	60	sb0621	3, 4	07-01-21	1
36-3-627	Added*	60	sb0621	2	07-01-21	1
36-5-101	Amended	64	sb0785	21	03-29-21	1
36-5-112	Amended	64	sb0785	22	03-29-21	1
36-5-114	Amended	64	sb0785	23	03-29-21	1
36-6-102	Amended	164	sb0274	1	07-01-21	1
37-1-102	Amended	147	sb1124	2	07-01-21	1
37-1-114	Amended	105	sb1286	1	04-07-21	1
37-1-120	Amended	134	sb0738	27	07-01-21	1
37-1-131	Amended	105	sb1286	2	04-07-21	1
37-1-148	Amended	147	sb1124	1	07-01-21	1
37-1-164	Amended	184	hb0783	2	07-01-21	1
37-1-182	Amended	64	sb0785	24	03-29-21	1

*Section numbers supplied by the publisher and the code commission.

CUMULATIVE TABLE OF SECTIONS AFFECTED

T.C.A. Sec.	Action	Ch. No.	Bill No.	Sec. No.	Eff. Date	Pamphlet No.
37-1-185	Amended	184	hb0783	4	07-01-21	1
37-1-187	Added*	184	hb0783	1	07-01-21	1
37-1-406	Amended	64	sb0785	25	03-29-21	1
37-1-506	Repealed	184	hb0783	3	07-01-21	1
37-1-607	Amended	64	sb0785	26	03-29-21	1
37-1-903	Amended	64	sb0785	27	03-29-21	1
37-2-205	Amended	64	sb0785	28	03-29-21	1
37-2-601	Amended	64	sb0785	29	03-29-21	1
37-3-115	Amended	64	sb0785	30	03-29-21	1
37-3-116	Amended	64	sb0785	31	03-29-21	1
37-3-803	Amended	64	sb0785	32	03-29-21	1
37-3-803	Amended	109	sb0066	2	04-13-21	1
37-5-105	Amended	64	sb0785	33	03-29-21	1
37-5-105	Amended	184	hb0783	5	07-01-21	1
37-5-124	Amended	64	sb0785	34	03-29-21	1
37-5-125	Amended	64	sb0785	35	03-29-21	1
37-5-128	Amended	64	sb0785	36	03-29-21	1
37-5-129	Amended	64	sb0785	37	03-29-21	1
37-5-133	Added*	163	sb0270	1	07-01-21	1
37-5-307	Amended	129	sb0544	1	04-13-21	1
37-5-310	Amended	129	sb0544	2, 3	04-13-21	1
37-5-603	Amended	64	sb0785	38	03-29-21	1
37-5-605	Amended	64	sb0785	39	03-29-21	1
37-10-202	Amended	107	sb0327	2	07-01-21	1
38-1-101	Amended	64	sb0785	40	03-29-21	1
38-6-101	Amended	44	sb0083	2	03-29-21	1
38-6-102	Amended	64	sb0785	41	03-29-21	1
38-6-207	Amended	64	sb0785	42	03-29-21	1
38-8-312	Amended	64	sb0785	43	03-29-21	1
39-11-106	Amended	83	hb0050	2	04-07-21	1
39-11-504	Amended	83	hb0050	3	04-07-21	1
39-11-611	Amended	83	hb0050	4-7	04-07-21	1
39-11-611	Amended	115	sb0188	1-3	07-01-21	1
39-11-620	Amended	83	hb0050	8	04-07-21	1
39-11-622	Amended	188	hb1096	1	07-01-21	1
39-13-113	Amended	60	sb0621	5	07-01-21	1
39-13-530	Amended	64	sb0785	44	03-29-21	1
39-13-531	Amended	104	sb1117	1	07-01-21	1
39-14-105	Amended	108	sb0765	8-10	07-01-21	1
39-17-501	Amended	65	sb1258	1	07-01-21	1
39-17-505	Amended	65	sb1258	2	07-01-21	1
39-17-1307	Amended	108	sb0765	1, 13	07-01-21	1
39-17-1313	Amended	108	sb0765	2-5	07-01-21	1
39-17-1316	Amended	64	sb0785	45	03-29-21	1
39-17-1317	Amended	166	sb0277	1	07-01-21	1
39-17-1351	Amended	64	sb0785	46	03-29-21	1
39-17-1351	Amended	108	sb0765	6	07-01-21	1
39-17-1351	Amended	195	sb0543	1	04-22-21	1
39-17-1366	Amended	108	sb0765	7	07-01-21	1
40-1-111	Amended	64	sb0785	47	03-29-21	1
40-17-125	Amended	64	sb0785	48	03-29-21	1
40-30-111	Amended	64	sb0785	49	03-29-21	1

*Section numbers supplied by the publisher and the code commission.

CUMULATIVE TABLE OF SECTIONS AFFECTED

xxv

T.C.A. Sec.	Action	Ch. No.	Bill No.	Sec. No.	Eff. Date	Pamphlet No.
40-31-107	Amended	64	sb0785	50	03-29-21	1
40-33-216	Amended	64	sb0785	51	03-29-21	1
40-35-114	Amended	108	sb0765	11	07-01-21	1
40-35-501	Amended	104	sb1117	2	07-01-21	1
40-35-501	Amended	108	sb0765	12	07-01-21	1
40-36-105	Amended	64	sb0785	52	03-29-21	1
40-38-601	Amended	140	sb0885	1-3	04-13-21	1
40-38-602	Amended	140	sb0885	4-6	04-13-21	1
40-38-604	Amended	140	sb0885	7-9	04-13-21	1
40-38-608	Amended	140	sb0885	10	04-13-21	1
41-1-502	Amended	64	sb0785	53	03-29-21	1
41-1-503	Amended	64	sb0785	54	03-29-21	1
41-1-507	Amended	64	sb0785	55	03-29-21	1
41-21-204	Amended	168	sb0334	1	07-01-21	1
41-21-243	Amended	64	sb0785	56	03-29-21	1
41-22-116	Amended	64	sb0785	57	03-29-21	1
41-22-405	Amended	64	sb0785	58	03-29-21	1
41-22-406	Amended	64	sb0785	59	03-29-21	1
41-22-408	Amended	64	sb0785	60	03-29-21	1
41-22-411	Amended	64	sb0785	61	03-29-21	1
41-23-103	Amended	64	sb0785	62	03-29-21	1
41-24-104	Amended	64	sb0785	63	03-29-21	1
41-24-106	Amended	64	sb0785	64	03-29-21	1
41-24-109	Amended	64	sb0785	65	03-29-21	1
42-2-301	Amended	31	sb0080	2	03-23-21	1
43-20-102	Amended	51	sb0090	2	03-29-21	1
43-29-118	Added	2	sb0033	2	03-23-21	1
43-29-119	Amended	20	sb0063	2	03-23-21	1
43-29-120	Repealed	14	sb0054	2	03-23-21	1
43-29-122	Amended	145	sb1084	1	04-13-21	1
44-19-114	Amended	47	sb0086	2	03-29-21	1
45-2-607	Amended	78	hb0058	1	03-31-21	1
45-5-403	Amended	91	hb0421	1-6	07-01-21	1
47-18-402	Amended	87	hb0207	1	07-01-21	1
47-18-407	Amended	87	hb0207	2	07-01-21	1
47-18-408	Added*	87	hb0207	3	07-01-21	1
47-18-1012	Added*	144	sb1078	1	07-01-21	1
47-18-5002	Amended	64	sb0785	66	03-29-21	1
47-18-5543	Added*	144	sb1078	2	07-01-21	1
47-25-1902	Amended	103	sb1046	3	04-07-21	1
48-17-109	Amended	85	hb0106	1	04-07-21	1
		2 (1st Ex.				
49-1-228	Amended	Sess.)	sb7001	11	02-03-21	1
49-1-229	Amended	64	sb0785	67	03-29-21	1
		2 (1st Ex.				
49-1-302	Amended	Sess.)	sb7001	1-6, 14	02-03-21	1
		3 (1st Ex.				
49-1-302	Amended	Sess.)	sb7003	5	02-03-21	1
49-1-302	Amended	64	sb0785	68	03-29-21	1

*Section numbers supplied by the publisher and the code commission.

CUMULATIVE TABLE OF SECTIONS AFFECTED

T.C.A. Sec.	Action	Ch. No.	Bill No.	Sec. No.	Eff. Date	Pamphlet No.
49-1-306	Amended	64	sb0785	69	03-29-21	1
49-1-309	Amended	64	sb0785	70	03-29-21	1
		2 (1st Ex. Sess.)				
49-1-602	Amended	64	sb7001	12	02-03-21	1
49-1-608	Amended	64	sb0785	71	03-29-21	1
		2 (1st Ex. Sess.)				
49-1-609	Added*	64	sb7001	15	02-03-21	1
49-1-611	Amended	64	sb0785	72	03-29-21	1
		2 (1st Ex. Sess.)				
49-1-617	Amended	64	sb7001	10	02-03-21	1
49-1-703	Amended	64	sb0785	73	03-29-21	1
		3 (1st Ex. Sess.)				
49-1-901	Amended	64	sb7003	1	02-03-21	1
		3 (1st Ex. Sess.)				
49-1-902	Amended	64	sb7003	2	02-03-21	1
		3 (1st Ex. Sess.)				
49-1-903	Added	64	sb7003	3	02-03-21	1
		3 (1st Ex. Sess.)				
49-1-905	Added	64	sb7003	3	02-03-21	1
		3 (1st Ex. Sess.)				
49-1-906	Added	64	sb7003	3	02-03-21	1
49-1-907	Amended	64	sb0785	74	03-29-21	1
		3 (1st Ex. Sess.)				
49-1-908	Added	64	sb7003	3	02-03-21	1
		3 (1st Ex. Sess.)				
49-1-909	Added	64	sb7003	3	02-03-21	1
49-1-1003	Amended	64	sb0785	75	03-29-21	1
49-1-1007	Amended	64	sb0785	76	03-29-21	1
49-2-214	Added*	96	sb0103	1	04-07-21	1
49-2-2101	Amended	64	sb0785	77	03-29-21	1
49-3-351	Amended	64	sb0785	78	03-29-21	1
49-4-708	Amended	64	sb0785	79	03-29-21	1
49-4-708	Amended	183	hb0763	2	07-01-21	1
49-4-903	Amended	64	sb0785	80	03-29-21	1
49-4-903	Amended	183	hb0763	1	07-01-21	1
49-4-930	Amended	183	hb0763	3	07-01-21	1
49-5-108	Amended	125	sb0479	1	07-01-21	1
49-5-108	Amended	125	sb0479	2	04-13-21	1
49-5-209	Amended	77	hb0016	7	01-01-22	1
49-5-403	Amended	64	sb0785	81	03-29-21	1

*Section numbers supplied by the publisher and the code commission.

CUMULATIVE TABLE OF SECTIONS AFFECTED

xxvii

T.C.A. Sec.	Action	Ch. No.	Bill No.	Sec. No.	Eff. Date	Pamphlet No.
		2 (1st Ex. Sess.)	sb7001	13	02-03-21	1
49-5-503	Amended	64	sb0785	82	03-29-21	1
49-5-5605	Amended	3 (1st Ex. Sess.)	sb7003	4	02-03-21	1
49-5-5619	Added	2 (1st Ex. Sess.)	sb7001	7-9	02-03-21	1
49-6-105	Amended	64	sb0785	83	03-29-21	1
49-6-308	Amended	40	sb0228	1	03-26-21	1
49-6-310	Added*	57	sb0235	1	03-29-21	1
49-6-311	Added*	64	sb0785	84	03-29-21	1
49-6-809	Amended	170	sb0414	2	04-20-21	1
49-6-1012	Added*	64	sb0785	85	03-29-21	1
49-6-1021	Amended	64	sb0785	86	03-29-21	1
49-6-1306	Amended	1 (1st Ex. Sess.)	sb7004	1	02-03-21	1
49-6-1501 -		161	sb0124	1	04-20-21	1
49-6-1511	Added	48	sb0087	2	03-29-21	1
49-6-1601	Amended	146	sb1116	1	04-13-21	1
49-6-1702	Amended	64	sb0785	87	03-29-21	1
49-6-2101	Amended	159	sb0076	2	04-20-21	1
49-6-2201	Amended	77	hb0016	2	01-01-22	1
49-6-2801 -		180	hb0587	1	07-01-21	1
49-6-2804	Added	64	sb0785	88	03-29-21	1
49-6-2804	Amended	116	sb0203	1	04-13-21	1
49-6-3004	Amended	1 (1st Ex. Sess.)	sb7004	2	07-01-22	1
49-6-3017	Amended	64	sb0785	89	03-29-21	1
49-6-3026	Added	64	sb0785	90	03-29-21	1
49-6-3115	Amended	77	hb0016	6	01-01-22	1
49-6-3401	Amended	77	hb0016	4	01-01-22	1
49-6-3404	Amended	77	hb0016	3	01-01-22	1
49-6-4002	Amended	77	hb0016	5	01-01-22	1
49-6-4008	Repealed	188	hb1096	2	07-01-21	1
49-6-4102	Amended	64	sb0785	91	03-29-21	1
49-6-4106	Repealed	64	sb0785	92	03-29-21	1
49-6-4107	Amended	64	sb0785	93	03-29-21	1
49-6-4302	Amended	169	sb0386	1	07-01-21	1
49-6-4503	Amended	64	sb0785	94	03-29-21	1
49-6-5001	Amended	64	sb0785	95	03-29-21	1
49-6-5002	Amended	64	sb0785	96	03-29-21	1
49-6-5002	Amended	183	hb0763	4	07-01-21	1
49-6-6011	Amended	64	sb0785	96	03-29-21	1
49-7-112	Amended	92	hb0473	1, 2	04-07-21	1
49-7-112	Amended	64	sb0785	97	03-29-21	1
49-7-143	Amended	64	sb0785	97	03-29-21	1
49-7-154	Amended	120	sb0322	1	04-13-21	1
49-7-169	Amended	120	sb0322	2	04-13-21	1
49-7-173	Added*	120	sb0322	2	04-13-21	1
49-7-174	Added*	120	sb0322	2	04-13-21	1

*Section numbers supplied by the publisher and the code commission.

CUMULATIVE TABLE OF SECTIONS AFFECTED

T.C.A. Sec.	Action	Ch. No.	Bill No.	Sec. No.	Eff. Date	Pamphlet No.
49-7-202	Amended	64	sb0785	98	03-29-21	1
49-7-210	Amended	183	hb0763	8	07-01-21	1
49-7-211	Amended	183	hb0763	9, 10	07-01-21	1
49-7-215	Amended	64	sb0785	99	03-29-21	1
49-7-217	Amended	64	sb0785	100	03-29-21	1
49-7-218	Repealed	183	hb0763	11	07-01-21	1
49-7-502	Amended	64	sb0785	101	03-29-21	1
49-7-503	Amended	64	sb0785	102	03-29-21	1
49-7-1203	Amended	183	hb0763	6	07-01-21	1
49-7-1209	Repealed	183	hb0763	5	07-01-21	1
49-7-1210	Amended	64	sb0785	103	03-29-21	1
49-7-1210	Repealed	183	hb0763	7	07-01-21	1
49-7-2205	Amended	64	sb0785	104	03-29-21	1
49-7-2701	Amended	64	sb0785	105	03-29-21	1
49-8-101	Amended	75	hb0311	2	03-29-21	1
49-8-111	Amended	64	sb0785	106	03-29-21	1
49-8-117	Amended	64	sb0785	107	03-29-21	1
49-8-201	Amended	75	hb0311	2	03-29-21	1
49-8-203	Amended	64	sb0785	108	03-29-21	1
49-9-114	Amended	64	sb0785	109	03-29-21	1
49-10-1303	Amended	134	sb0738	1-8	07-01-21	1
49-10-1304	Amended	134	sb0738	9-19	07-01-21	1
49-10-1305	Amended	134	sb0738	20-23	07-01-21	1
49-10-1306	Amended	134	sb0738	24, 25	07-01-21	1
49-10-1307	Amended	134	sb0738	26	07-01-21	1
49-10-1403	Amended	113	sb0127	1	04-13-21	1
49-11-201	Amended	45	sb0084	2	03-29-21	1
49-13-105	Amended	49	sb0088	2	03-29-21	1
49-13-115	Added*	96	sb0103	2	04-07-21	1
49-13-120	Amended	64	sb0785	110	03-29-21	1
50-3-801	Amended	74	hb0286	2	03-29-21	1
50-6-121	Amended	41	sb0030	2	03-29-21	1
50-6-121	Amended	64	sb0785	111	03-29-21	1
50-6-132	Amended	64	sb0785	112	03-29-21	1
50-6-226	Amended	152	sb1576	1	07-01-21	1
50-6-244	Amended	64	sb0785	113	03-29-21	1
50-6-402	Amended	64	sb0785	114	03-29-21	1
50-6-411	Amended	189	hb1285	1	07-01-24	1
50-6-411	Amended	189	hb1285	1	07-01-21	1
50-6-412	Amended	88	hb0386	11, 12	01-01-22	1
50-6-412	Amended	189	hb1285	2	07-01-21	1
50-6-412	Amended	189	hb1285	2	07-01-24	1
50-6-413	Added*	189	hb1285	3	07-01-21	1
50-6-415	Amended	64	sb0785	115	03-29-21	1
50-6-801	Amended	189	hb1285	9	07-01-21	1
50-6-901;						
50-6-903	Amended	88	hb0386	3	01-01-22	1
50-6-904	Amended	88	hb0386	2-4	01-01-22	1
50-6-905	Amended	88	hb0386	2, 3	01-01-22	1
50-6-905	Amended	189	hb1285	4	07-01-21	1
50-6-906	Amended	88	hb0386	2, 3	01-01-22	1
50-6-907	Amended	88	hb0386	2, 3, 5	01-01-22	1

*Section numbers supplied by the publisher and the code commission.

CUMULATIVE TABLE OF SECTIONS AFFECTED

xxix

T.C.A. Sec.	Action	Ch. No.	Bill No.	Sec. No.	Eff. Date	Pamphlet No.
50-6-908	Amended	88	hb0386	3	01-01-22	1
50-6-908	Amended	189	hb1285	5	07-01-24	1
50-6-908	Amended	189	hb1285	5	07-01-21	1
50-6-909	Amended	88	hb0386	1, 3	01-01-22	1
50-6-911	Amended	88	hb0386	2, 3, 6, 7	01-01-22	1
50-6-912	Amended	88	hb0386	3, 8	01-01-22	1
50-6-913	Amended	88	hb0386	3, 9	01-01-22	1
50-6-914	Amended	90	hb0395	1	04-07-21	1
50-6-914	Amended	189	hb1285	6	07-01-21	1
50-6-914	Amended	189	hb1285	6	07-01-24	1
50-6-914	Amended	189	hb1285	7, 8	07-01-21	1
50-6-915	Amended	88	hb0386	3	01-01-22	1
50-6-918	Repealed	88	hb0386	13	01-01-22	1
50-6-921	Amended	88	hb0386	10	01-01-22	1
50-7-451	Amended	64	sb0785	116	03-29-21	1
53-10-302	Amended	136	sb0748	1, 2	04-13-21	1
53-10-303	Amended	136	sb0748	3	04-13-21	1
53-10-306	Amended	136	sb0748	4-8	04-13-21	1
53-10-308	Amended	136	sb0748	9	04-13-21	1
53-10-311	Amended	136	sb0748	10	04-13-21	1
55-3-126	Amended	171	sb0473	1	04-20-21	1
55-4-110	Amended	174	hb0175	1	04-20-21	1
55-4-201	Amended	97	sb0165	1	07-01-21	1
55-4-226	Amended	97	sb0165	2, 3	07-01-21	1
55-8-101	Amended	56	sb0154	1	03-29-21	1
55-8-101	Amended	103	sb1046	1	04-07-21	1
55-8-185	Amended	123	sb0349	1	04-13-21	1
55-9-308	Amended	176	hb0234	1	07-01-21	1
55-10-418	Amended	64	sb0785	117	03-29-21	1
55-17-120	Amended	66	sb1350	1	10-15-21	1
55-18-105	Amended	61	sb0724	1-3	03-29-21	1
55-21-301 -						
55-21-304	Added*	55	sb0110	1	01-01-22	1
55-50-312	Amended	137	sb0784	1	01-01-22	1
55-50-405	Amended	112	sb0115	1	04-13-21	1
56-7-102	Amended	67	sb1376	1	03-29-21	1
56-7-1003	Amended	191	sb0429	1, 2	04-22-21	1
57-1-102	Amended	82	hb0257	2	03-31-21	1
57-3-204	Amended	59	sb0293	1-5	03-29-21	1
57-3-224	Amended	185	hb0866	1	04-20-21	1
57-3-226	Added*	76	hb0557	1	03-29-21	1
57-3-820	Added*	76	hb0557	2	03-29-21	1
57-3-1101	Amended	53	sb0094	2	03-29-21	1
57-4-102	Amended	187	hb1085	1	04-20-21	1
57-4-111	Added*	76	hb0557	3	03-29-21	1
57-4-203	Amended	187	hb1085	2	04-20-21	1
57-5-201	Amended	158	sb0026	1, 2	06-01-21	1
58-2-301,						
58-2-302	Added	155	sb0474	1	07-01-21	1
58-3-106	Amended	63	sb0763	1	03-29-21	1
59-8-308	Amended	135	sb0741	3	04-13-21	1
59-8-404	Amended	135	sb0741	4	04-13-21	1

*Section numbers supplied by the publisher and the code commission.

CUMULATIVE TABLE OF SECTIONS AFFECTED

T.C.A. Sec.	Action	Ch. No.	Bill No.	Sec. No.	Eff. Date	Pamphlet No.
62-3-101	Amended	117	sb0216	8	01-01-22	1
62-3-110	Amended	117	sb0216	1, 2	01-01-22	1
62-3-114	Amended	117	sb0216	3	01-01-22	1
62-3-115	Amended	117	sb0216	4	01-01-22	1
62-3-119	Amended	117	sb0216	5	01-01-22	1
62-3-124	Amended	117	sb0216	6	01-01-22	1
62-3-131	Added*	117	sb0216	7	01-01-22	1
62-4-105	Amended	117	sb0216	9	01-01-22	1
62-4-110	Amended	117	sb0216	10-14	01-01-22	1
62-4-116	Amended	117	sb0216	17	01-01-22	1
62-4-117	Amended	117	sb0216	16	01-01-22	1
62-4-136	Amended	117	sb0216	15	01-01-22	1
62-5-801 –						
62-5-810	Added	141	sb0931	1	04-13-21	1
62-6-102	Amended	198	sb0577	1	04-22-21	1
62-13-315	Added*	94	hb0605	1	04-07-21	1
62-18-103	Amended	27	sb0073	2	03-23-21	1
62-19-128	Amended	66	sb1350	2	10-15-21	1
63-1-150	Amended	150	sb1275	1	07-01-21	1
63-1-155	Amended	62	sb0753	5	03-29-21	1
63-1-155	Amended	153	sb1589	1	04-13-21	1
63-1-155	Amended	179	hb0508	1-3	04-20-21	1
63-3-103	Amended	9	sb0042	2	03-23-21	1
63-4-102	Amended	3	sb0034	2	03-23-21	1
63-4-102	Amended	199	sb0592	1	04-22-21	1
63-5-101	Amended	5	sb0036	2	03-23-21	1
63-8-103	Amended	8	sb0041	2	03-23-21	1
63-10-216	Amended	149	sb1269	1	04-13-21	1
63-10-222	Amended	64	sb0785	118	03-29-21	1
63-11-101	Amended	71	hb0264	2	03-29-21	1
63-11-401	Added	160	sb0101	2	07-01-22	1
63-11-401	Amended	160	sb0101	1	07-01-22	1
63-11-402 –						
63-11-411	Added	160	sb0101	2	07-01-22	1
63-12-104	Amended	10	sb0043	2	03-23-21	1
63-13-103	Amended	143	sb1072	1-6	07-01-21	1
63-13-208	Amended	143	sb1072	7	07-01-21	1
63-13-216	Amended	143	sb1072	8	07-01-21	1
63-13-303	Amended	130	sb0584	1	04-13-21	1
63-14-101	Amended	6	sb0037	2	03-23-21	1
63-17-104	Amended	4	sb0035	2	03-23-21	1
63-19-103	Amended	7	sb0039	2	03-23-21	1
64-1-212	Amended	165	sb0276	1	04-20-21	1
64-8-101	Amended	81	hb0254	2	03-31-21	1
65-1-101	Amended	50	sb0089	2	03-29-21	1
65-1-124	Added*	178	hb0486	1	04-20-21	1
66-7-109	Amended	100	sb0459	3	07-01-21	1
66-24-101	Amended	181	hb0633	1, 2	07-01-21	1
66-27-602	Amended	80	hb0128	1	03-31-21	1
66-27-603	Amended	80	hb0128	2	03-31-21	1
66-27-701 –						
66-27-705	Added	151	sb1381	1	05-01-21	1

*Section numbers supplied by the publisher and the code commission.

CUMULATIVE TABLE OF SECTIONS AFFECTED

xxxi

T.C.A. Sec.	Action	Ch. No.	Bill No.	Sec. No.	Eff. Date	Pamphlet No.
66-28-102	Amended	182	hb0716	1, 2	07-01-21	1
66-28-104	Amended	100	sb0459	2	07-01-21	1
66-28-522	Added*	100	sb0459	1	07-01-21	1
67-4-402	Amended	158	sb0026	3, 4	06-01-21	1
67-4-1001	Amended	69	sb0143	1-3	03-31-21	1
67-4-1005	Amended	69	sb0143	4	03-31-21	1
67-4-2006	Amended	154	hb0776	1, 2	04-14-21	1
67-4-2109	Amended	70	hb0141	2	07-01-21	1
67-4-2109	Amended	194	sb0541	9	04-22-21	1
67-5-516	Added*	138	sb0795	2	07-01-21	1
67-6-102	Amended	86	hb0131	1	07-01-21	1
67-6-323	Added*	70	hb0141	1	07-01-21	1
67-6-329	Amended	139	sb0874	1	07-01-21	1
68-1-125	Amended	64	sb0785	119	03-29-21	1
68-1-141	Added*	114	sb0133	1	04-13-21	1
68-1-142	Added*	157	sb0020	1	04-20-21	1
68-2-601	Amended	106	sb1368	1	04-07-21	1
68-3-301 —						
68-3-305	Repealed	101	sb0723	28	07-01-22	1
68-3-313	Amended	101	sb0723	29	07-01-22	1
68-11-201	Amended	124	sb0478	1	04-13-21	1
68-11-209	Amended	148	sb1266	1	04-13-21	1
68-11-260	Amended	124	sb0478	2	04-13-21	1
68-101-104	Amended	177	hb0252	1	04-20-21	1
68-115-103	Amended	32	sb0081	2	03-23-21	1
68-205-101						
—						
68-205-115	Added*	138	sb0795	1	07-01-21	1
68-221-618	Amended	126	sb0495	1	04-13-21	1
68-221-1003	Amended	99	sb0428	1	04-07-21	1
68-221-1005	Amended	99	sb0428	3	04-07-21	1
68-221-1006	Amended	99	sb0428	2	04-07-21	1
68-221-1206	Amended	79	hb0091	1, 2	03-31-21	1
71-2-117	Amended	26	sb0071	2	03-23-21	1
71-3-503	Amended	162	sb0164	1	07-01-21	1
71-4-703	Amended	72	hb0272	2	03-29-21	1
71-5-106	Amended	64	sb0785	120	03-29-21	1
71-5-107	Amended	64	sb0785	121	03-29-21	1
71-5-118	Amended	64	sb0785	122	03-29-21	1
71-5-151	Amended	64	sb0785	123	03-29-21	1
71-5-152	Amended	64	sb0785	124	03-29-21	1
71-5-166	Added*	186	hb0992	1	04-20-21	1
71-5-188	Amended	64	sb0785	125	03-29-21	1
71-5-190	Amended	64	sb0785	126	03-29-21	1
71-5-1504	Amended	122	sb0345	2	04-13-21	1
71-5-1509	Amended	122	sb0345	1	04-13-21	1
71-5-2401	Amended	110	sb0075	2	04-13-21	1
71-5-2505	Amended	64	sb0785	127	03-29-21	1
71-5-2508	Amended	64	sb0785	128	03-29-21	1
71-5-2512	Amended	64	sb0785	129	03-29-21	1
71-6-125	Amended	64	sb0785	130	03-29-21	1

*Section numbers supplied by the publisher and the code commission.

TABLE OF EFFECTIVE DATES

Ch. No.	Date	Ch. No.	Date
1 (1st Ex. Sess.)	02-03-21; 07-01-22	52	03-29-21
2 (1st Ex. Sess.)	02-03-21	53	03-29-21
3 (1st Ex. Sess.)	02-03-21	54	03-29-21
4 (1st Ex. Sess.)	02-03-21	55	01-01-22
1	03-23-21	56	03-29-21
2	03-23-21	57	03-29-21
3	03-23-21	58	03-29-21
4	03-23-21	59	03-29-21
5	03-23-21	60	07-01-21
6	03-23-21	61	03-29-21
7	03-23-21	62	03-29-21
8	03-23-21	63	03-29-21
9	03-23-21	64	03-29-21
10	03-23-21	65	07-01-21
11	03-23-21	66	10-15-21
12	03-23-21	67	03-29-21
13	03-23-21	68	03-29-21
14	03-23-21	69	03-31-21
15	03-23-21	70	07-01-21
16	03-23-21	71	03-29-21
17	03-23-21	72	03-29-21
18	03-23-21	73	03-29-21
19	03-23-21	74	03-29-21
20	03-23-21	75	03-29-21
21	03-23-21	76	03-29-21
22	03-23-21	77	01-01-22
23	03-23-21	78	03-31-21
24	03-23-21	79	03-31-21
25	03-23-21	80	03-31-21
26	03-23-21	81	03-31-21
27	03-23-21	82	03-31-21
28	03-23-21	83	04-07-21
29	03-23-21	84	01-01-21
30	03-23-21	85	04-07-21
31	03-23-21	86	07-01-21
32	03-23-21	87	07-01-21
33	03-23-21	88	01-01-22
34	03-23-21	89	04-07-21
35	03-23-21	90	04-07-21
36	07-01-21	91	07-01-21
37	03-23-21	92	04-07-21
38	03-23-21	93	07-01-21
39	03-23-21	94	04-07-21
40	03-26-21	95	04-07-21
41	03-29-21	96	04-07-21
42	03-29-21	97	07-01-21
43	03-29-21	98	04-07-21
44	03-29-21	99	04-07-21
45	03-29-21	100	07-01-21
46	03-29-21	101	07-01-22
47	03-29-21	102	04-07-21
48	03-29-21	103	04-07-21
49	03-29-21	104	07-01-21
50	03-29-21	105	04-07-21
51	03-29-21	106	04-07-21

TABLE OF EFFECTIVE DATES

Ch. No.	Date	Ch. No.	Date
107	07-01-21	155	07-01-21
108	07-01-21	156	04-20-21
109	04-13-21	157	04-20-21
110	04-13-21	158	06-01-21
111	04-13-21	159	04-20-21
112	04-13-21	160	07-01-22
113	04-13-21	161	04-20-21
114	04-13-21	162	07-01-21
115	07-01-21	163	07-01-21
116	04-13-21	164	07-01-21
117	01-01-22	165	04-20-21
118	04-13-21	166	07-01-21
119	04-13-21	167	04-20-21
120	04-13-21	168	07-01-21
121	04-13-21	169	07-01-21
122	04-13-21	170	04-20-21
123	04-13-21	171	04-20-21
124	04-13-21	172	04-20-21
125	04-13-21	173	04-20-21
126	04-13-21	174	04-20-21
127	04-13-21	175	04-20-21
128	04-13-21	176	07-01-21
129	04-13-21	177	04-20-21
130	04-13-21	178	04-20-21
131	04-13-21	179	04-20-21
132	07-01-21	180	07-01-21
133	04-13-21	181	07-01-21
134	07-01-21	182	07-01-21
135	04-13-21	183	07-01-21
136	04-13-21	184	07-01-21
137	01-01-22	185	04-20-21
138	07-01-21	186	04-20-21
139	07-01-21	187	04-20-21
140	04-13-21	188	07-01-21
141	04-13-21	189	07-01-21
142	04-13-21	190	04-22-21
143	07-01-21	191	04-22-21
144	07-01-21	192	04-22-21
145	04-13-21	193	04-22-21
146	04-13-21	194	04-22-21
147	07-01-21	195	04-22-21
148	04-13-21	196	04-22-21
149	04-13-21	197	04-22-21
150	07-01-21	198	04-22-21
151	05-01-21	199	04-22-21
152	07-01-21	200	04-22-21
153	04-13-21		
154	04-14-21		

PUBLIC CHAPTER NO. 1
FIRST EXTRAORDINARY SESSION

HOUSE BILL NO. 4

**By Representatives Lamberth, Gant, White, Moody, Cepicky, Haston,
Ragan, Littleton, Bricken, Helton, Rudder, Williams, Boyd, Terry,
Garrett, Gillespie, Eldridge, Faison, Sherrell, Smith, Hall, Zachary,
Kumar, Sparks**

Substituted for: Senate Bill No. 2

By Senators Johnson, Kelsey, Haile, Powers, Reeves, Rose

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 6, relative to the Tennessee Learning Loss Remediation and Student Acceleration Act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[T.49, ch. 6, part 15; 49-6-1501; 49-6-1502; 49-6-1503; 49-6-1504; 49-6-1505; 49-6-1506; 49-6-1507; 49-6-1508; 49-6-1509; 49-6-1510; 49-6-1511]

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, is amended by adding the following as a new part:

49-6-1501. Short title. This part is known and may be cited as the “Tennessee Learning Loss Remediation and Student Acceleration Act.”

49-6-1502. Definitions.

As used in this part, unless the context otherwise requires:

(1) “After-school learning mini-camp” means an after-school educational program, as part of the learning loss remediation and student acceleration program, that is designed to remediate student learning loss and support student academic needs using an educational approach to learning that uses science, technology, reading, engineering, the arts, and mathematics (STREAM) as access points for guiding student inquiry, dialogue, and critical thinking. An after-school learning mini-camp must provide, at a minimum, the following:

(A) One (1) hour of in-person educational instruction provided at least four (4) days per week by a licensed teacher. If a licensed teacher is not available to provide the instruction, then the instruction may be provided by a Tennessee accelerating literacy and learning corps member. The educational instruction must be designed to engage students in STREAM instruction, activities, and learning;

(B) At least one (1) snack per student per day;

(C) Stipends to teachers, tutors, and staff providing educational services to students in the after-school learning mini-camp; and

(D) A state-adopted benchmark assessment administered:

(i) To students in person as a pre-test at the beginning of the after-school learning mini-camp each school year; and

(ii) To students in person as a post-test at the end of the after-school learning mini-camp each school year, the results of which must be submitted to the department;

(2) "Department" means the department of education;

(3) "Learning loss" means the loss of academic knowledge or skills previously acquired or a pause in academic advancement, most commonly due to extended time away from school or in-person instruction;

(4) "Learning loss bridge camp" means a four-week educational program conducted each year before the beginning of the school year, as part of the learning loss remediation and student acceleration program, that is designed to support student academic needs and remediate student learning loss. A learning loss bridge camp must provide, at a minimum, the following:

(A) Four (4) combined hours of in-person daily instruction, intervention, and supplemental supports in reading and math, provided five (5) days per week. Each LEA or participating public charter school conducting a learning loss bridge camp shall determine the number of minutes of instruction, intervention, and supplemental supports per subject; provided, that all students must receive at least one (1) hour of instruction in reading and one (1) hour of instruction in math per day. Instruction, intervention, and supplemental supports in reading and math must be provided by a teacher licensed and endorsed to teach the subjects and grades served, using instructional materials adopted by the state board of education or provided by the department. If a teacher licensed and endorsed to teach the subjects and grades served is not available to provide the instruction, intervention, and supplemental supports, then the instruction, intervention, and supplemental supports may be provided by a candidate enrolled in an educator preparation program, or a person with a college degree who has successfully completed a learning loss and remediation and student acceleration program preparation course, using instructional materials adopted by the state board of education or provided by the department;

(B) One (1) hour of response to instruction and intervention (RTI²) services per day, provided in person five (5) days per week pursuant to Tennessee's response to instruction and intervention framework manual;

(C) One (1) hour of physical activity per day, provided five (5) days per week;

(D) Lunch and at least one (1) snack or breakfast per day, provided to each student five (5) days per week;

(E) Stipends to teachers, tutors, and staff providing educational services to students in the learning loss bridge camp; and

(F) A state-adopted benchmark assessment administered:

(i) To students in person as a pre-test at the beginning of the learning loss bridge camp each year; and

(ii) To students in person as a post-test at the end of the learning loss bridge camp each year, the results of which must be submitted to the department;

(5) “Learning loss remediation and student acceleration program” means a program established and administered by the department to aid LEAs and public charter schools in remediating learning loss by facilitating the provision of educational services to students in person outside of the regular school day, including through after-school learning mini-camps, learning loss bridge camps, and summer learning camps;

(6) “Priority student” means:

(A) For purposes of an after-school learning mini-camp:

(i) A student who completed third or fourth grade in the immediately preceding school year and scored below proficient in math or English language arts on the student’s most recent Tennessee comprehensive assessment program (TCAP) test;

(ii) A student who completed kindergarten, first, or second grade in the immediately preceding school year and attends a school in which fewer than fifty percent (50%) of the students in grades three through five (3-5) scored proficient in math or English language arts on the most recently administered TCAP test;

(iii) A student who completed kindergarten, first, second, third, or fourth grade in the immediately preceding school year and is eligible for temporary assistance for needy families (TANF); or

(iv) A student who completed kindergarten, first, second, or third grade in the immediately preceding school year and scored below proficient in math or English language arts on the student’s most recent state-adopted benchmark assessment, Tennessee universal math screener, Tennessee universal reading screener, universal reading screener, or, for after-school learning mini-camps conducted in the 2021-2022 school year, response to instruction and intervention (RTI²) screener;

(B) For purposes of a learning loss bridge camp:

(i) A student who will be entering the sixth, seventh, or eighth grade in the 2021-2022 or 2022-2023 school year who scored below proficient in math or English language arts on the student’s most recent TCAP test or state-adopted benchmark assessment; or

(ii) A student who will be entering the fourth, fifth, sixth, seventh, or eighth grade in the 2023-2024 school year, or in a subsequent school year, who scored below proficient in math or English language arts on the student’s most recent TCAP test or state-adopted benchmark assessment; and

(C) For purposes of a summer learning camp, a student who:

(i) Completed third or fourth grade in the immediately preceding school year and scored below proficient in math or English language arts on the student's most recent TCAP test;

(ii) Completed kindergarten, first, or second grade in the immediately preceding school year and attends a public school or public charter school in which fewer than fifty percent (50%) of students in grades three through five (3-5) scored proficient in math or English language arts on the most recently administered TCAP test;

(iii) Completed kindergarten, first, second, third, or fourth grade in the immediately preceding school year and is eligible for temporary assistance for needy families (TANF); or

(iv) Completed kindergarten, first, second, or third grade in the immediately preceding school year and scored below proficient in math or English language arts on the student's most recent state-adopted benchmark assessment, Tennessee universal math screener, Tennessee universal reading screener, universal reading screener, or, for summer learning camps conducted in the summer immediately following the 2020-2021 school year, response to instruction and intervention (RTI²) screener;

(7) "State-adopted benchmark assessment" means an assessment created under the innovative benchmark assessment pilot program established under § 49-6-1508;

(8) "Stipend" means:

(A) The compensation provided to teachers for providing educational services to students in:

(i) After-school learning mini-camps, learning loss bridge camps, or summer learning camps based on factors such as the teacher's level of overall effectiveness score or other performance data; ability to support student populations with unique needs; or license or endorsement to teach a hard-to staff-subject area; and

(ii) Learning loss bridge camps or summer learning camps based on a differentiated stipend plan developed by the department that provides teachers with at least one thousand dollars (\$1,000) per week in compensation, but no more than twenty-five percent (25%) above the weekly compensation rate of the highest salary step for teachers in the LEA's salary schedule; and

(B) The compensation provided to tutors and staff for providing educational services to students in after-school learning mini-camps, learning loss bridge camps, and summer learning camps, as determined by the respective local board of education or governing body of a participating public charter school;

(9) "Summer learning camp" means a six-week summer educational program, as part of the learning loss remediation and student acceleration program, that is designed to support student academic needs and remediate student learning loss. A summer learning camp must provide, at a minimum, the following:

(A) Four (4) combined hours of in-person daily instruction, intervention, and supplemental supports in reading and math, provided five (5) days per week. Each LEA or participating public charter school conducting a summer learning camp shall determine the number of minutes of instruction, intervention, and supplemental supports per subject; provided, that all students must receive at least one (1) hour of instruction in reading and one (1) hour of instruction in math per day. Instruction, intervention, and supplemental supports in reading and math must be provided by a teacher licensed and endorsed to teach the subjects and grades served, using instructional materials adopted by the state board of education or provided by the department. If a teacher licensed and endorsed to teach the subjects and grades served is not available to provide the instruction, intervention, and supplemental supports, then the instruction, intervention, and supplemental supports may be provided by a candidate enrolled in an educator preparation program, or a person with a college degree who has successfully completed a learning loss and remediation and student acceleration program preparation course, using instructional materials adopted by the state board of education or provided by the department;

(B) One (1) hour of RTI² services per day, provided in person five (5) days per week pursuant to Tennessee's response to instruction and intervention framework manual;

(C) One (1) hour of physical activity per day, provided five (5) days per week;

(D) Lunch and at least one (1) snack or breakfast per day, provided to each student five (5) days per week;

(E) Stipends to teachers, tutors, and staff providing educational services to students in the summer learning camp; and

(F) A state-adopted benchmark assessment administered:

(i) To students in person as a pre-test at the beginning of the summer learning camp each year; and

(ii) To students in person as a post-test at the end of the summer learning camp each year, the results of which must be submitted to the department;

(10) "Tennessee universal math screener" means the uniform tool that screens and monitors a student's progress toward proficiency in math that is provided to LEAs and public charter schools by the department as part of the innovative benchmark assessment pilot program;

(11) "Tennessee universal reading screener" means the universal reading screener that is provided to LEAs and public charter schools by the department as part of the innovative benchmark assessment pilot program; and

(12) "Universal reading screener" means a uniform tool that screens and monitors a student's progress towards phonemic awareness, phonics, fluency, vocabulary, and comprehension.

49-6-1503. The learning loss remediation and student acceleration program.

(a) The department shall establish and administer a learning loss remediation and student acceleration program by:

(1) Determining program requirements and a procedure for allocating funding to each LEA and participating public charter school for conducting after-school learning mini-camps and summer learning camps. LEAs and participating public charter schools are only required to conduct summer learning camps and after-school learning mini-camps in the summers immediately following the 2020-2021 and 2021-2022 school years;

(2) Determining program requirements and a procedure for allocating funding to each LEA and participating public charter school for conducting learning loss bridge camps, which must be conducted annually beginning in the summer of 2021;

(3) Providing training, technical assistance, and guidance to LEAs and participating public charter schools conducting after-school learning mini-camps, learning loss bridge camps, and summer learning camps;

(4) Implementing a learning loss remediation and student acceleration program preparation course to train and certify individuals who do not possess a teaching license to provide educational instruction as part of after-school learning mini-camps, learning loss bridge camps, and summer learning camps;

(5) Implementing a two-week summer professional development program on reading instruction for educators teaching English language arts or reading at no cost to LEAs or public charter schools; and

(6) Establishing a process for LEAs or participating public charter schools to apply to the commissioner of education for a waiver of the one (1) or more of the minimum requirements outlined in § 49-6-1502(1)(A), (4)(A)-(C), and (9)(A)-(C) related to the hours, weeks, and days of in-person instruction, intervention, supplemental supports, and physical activity mandated for after-school learning mini-camps, learning loss bridge camps, and summer learning camps.

(b)

(1) Each LEA shall participate in the learning loss remediation and student acceleration program by:

(A) Implementing and conducting after-school learning mini-camps and summer learning camps for students, including students enrolled in a public charter school located within the geographic boundaries of the LEA. LEAs are only required to conduct summer learning camps in the summers immediately following the 2020-2021 and 2021-2022 school years;

(B) Implementing and conducting learning loss bridge camps for students, including students enrolled in a public charter

school located within the geographic boundaries of the LEA, annually beginning in the summer of 2021; and

(C) Subject to available funding, providing all priority students, including priority students enrolled in a public charter school located within the geographic boundaries of the LEA, the opportunity to enroll in an after-school learning mini-camp, learning loss bridge camp, or summer learning camp, and, subject to the availability of additional seats after an LEA conducts the initial enrollment period for priority students pursuant to § 49-6-1504(b), providing students, including students enrolled in a public charter school located within the geographic boundaries of the LEA, who are not priority students with the opportunity to enroll in an after-school learning mini-camp, learning loss bridge camp, or summer learning camp.

(2) Notwithstanding subdivisions (b)(1)(A) and (B), two (2) or more LEAs, public charter schools, or a combination of both may jointly establish an after-school learning mini-camp, learning loss bridge camp, or summer learning camp that may be attended by students enrolled in the respective LEA or public charter school, subject to the requirements of subdivision (b)(1)(C).

(3) An LEA or public charter school may send students to an after-school learning mini-camp, learning loss bridge camp, or summer learning camp located in the LEA or conducted by the participating public charter school, or that is located in another LEA or conducted by another participating public charter school, subject to the requirements of subdivision (b)(1)(C).

(4) Public charter schools may conduct after-school learning mini-camps, learning loss bridge camps, and summer learning camps for the public charter school's students, rather than enrolling the public charter school's students in the camps conducted by the LEA within the boundaries of which the public charter school is located. If a public charter school conducts after-school learning mini-camps, learning loss bridge camps, or summer learning camps, then the public charter school must do so in compliance with this part.

(c)

(1) Funding for after-school learning mini-camps, learning loss bridge camps, and summer learning camps may be used to:

(A) Develop and implement detailed instructional programming plans for after-school learning mini-camps, learning loss bridge camps, and summer learning camps using instructional materials adopted by the state board of education;

(B) Provide instructional and supervisory staff for after-school learning mini-camps, learning loss bridge camps, and summer learning camps;

(C) Establish and implement staffing plans that enable educators teaching English language arts or reading in after-school learning mini-camps, learning loss bridge camps, or summer learning camps to participate in the summer professional development program on reading instruction pursuant to subdivision (a)(5);

(D) Provide transportation for students attending after-school learning mini-camps, learning loss bridge camps, or summer learning camps;

(E) Provide meals, snacks, or breakfast for students attending after-school learning mini-camps, learning loss bridge camps, and summer learning camps;

(F) Provide facilities for conducting after-school learning mini-camps, learning loss bridge camps, and summer learning camps;

(G) Provide staff to administer the state-adopted benchmark assessments to satisfy the pre-test and post-test requirements of after-school learning mini-camps, learning loss bridge camps, and summer learning camps; and

(H) Provide stipends to teachers, tutors, and staff providing educational services to students in the after-school learning mini-camps, learning loss bridge camps, and summer learning camps.

(2) Funding for after-school learning mini-camps, learning loss bridge camps, and summer learning camps must supplement, but shall not supplant, existing funding for other educational programs conducted by the LEA or public charter school outside of the regular school day.

(d) Each LEA's local board of education and each governing body of a participating public charter school shall ensure that the after-school learning mini-camps, learning loss bridge camps, and summer learning camps funded pursuant to this part operate in compliance with the same safety policies and procedures required of the LEA's and public charter school's regular school programs, as applicable, and ensure that each of the after-school learning mini-camps, learning loss bridge camps, and summer learning camps established under this part are subject to, and comply with:

(1) The criminal history records checks required pursuant to § 49-5-413;

(2) The maximum class size requirements under § 49-1-104; and

(3) Inspections and investigations by department representatives and representatives from other local and state authorities, including, but not limited to the state fire marshal, state and local health departments, law enforcement, and the department of children's services, during operating hours.

49-6-1504. Eligibility for programs.

(a)

(1) Priority students may participate in an after-school learning mini-camp, learning loss bridge camp, or summer learning camp. Priority students are not required to participate in an after-school learning mini-camp, learning loss bridge camp, or summer learning camp unless the local board of education or the governing body of a participating public charter school adopts a policy requiring priority students to participate.

(2) Each LEA and public charter school shall conduct an initial enrollment period of at least thirty (30) days during which time the parent or guardian of a priority student may enroll the parent's or guardian's student in an after-school learning mini-camp, learning loss bridge camp, or summer learning camp.

(b) If additional seats are available in an after-school learning mini-camp, learning loss bridge camp, or summer learning camp at the end of the LEA's or public charter school's initial enrollment period, then students who are not priority students may enroll in the LEA's or participating public charter school's after-school learning mini-camp, learning loss bridge camp, or summer learning camp appropriate for that student's grade level, but only if permitted sources of funding are used to fund the enrollment of such students.

49-6-1505. Public or non-profit community partnerships.

Upon approval by the department, LEAs and public charter schools may collaborate with public or non-profit community partners to implement and conduct after-school learning mini-camps, learning loss bridge camps, and summer learning camps.

49-6-1506. Funding.

The learning loss remediation and student acceleration program must be funded from the temporary assistance for needy families (TANF) program, the LEAP grant fund established by § 49-6-701, and any other funds appropriated by the general assembly.

49-6-1507. Tennessee accelerating literacy and learning corps.

(a) The Tennessee accelerating literacy and learning corps (TALLC) is established to develop and support a statewide network of high-quality tutors to assist LEAs, public charter schools, community partners, and parents in accelerating student learning and remediating student learning loss. The department shall administer the TALLC by developing:

(1) A statewide initiative to recruit high-quality tutors to become certified TALLC members;

(2) A program to provide initial training, certification, and ongoing professional development for TALLC members. The initial training and ongoing professional development for TALLC members developed by the department pursuant to this subdivision (a)(2) must include online training options; and

(3) Content that may be used by TALLC members when providing tutoring services to students.

(b) Subject to available funding, the department may provide TALLC grants to LEAs and public charter schools to increase the number of TALLC members that are available in a community to provide high-quality tutoring services to students.

49-6-1508. Innovative benchmark assessment pilot program.

(a) The department shall establish, fund, and implement an innovative benchmark assessment pilot program to provide the Tennessee universal math screener, the Tennessee universal reading

screeners, and a series of state-adopted benchmark assessments to LEAs and public charter schools to allow teachers to more frequently measure student learning and address student learning loss. The results of the pilot program may be used to determine alternative ways to utilize real-time data to measure student proficiency and to inform instructional practices.

(b) LEAs and public charter schools may use the state-adopted benchmark assessments, the Tennessee universal math screener, the Tennessee universal reading screener, or a universal reading screener approved by the state board of education to measure the academic proficiency of students and to identify priority students for after-school learning mini-camps, learning loss bridge camps, and summer learning camps.

(c) The state-adopted benchmark assessments established under this pilot program must be administered as the pre-tests and post-tests required as part of after-school learning mini-camps, learning loss bridge camps, or summer learning camps.

(d) Beginning with the 2021-2022 school year, LEAs and public charter schools may authorize teachers in the non-tested grades pre-kindergarten through two (pre-K-2) to use the results of the Tennessee universal math screener, the Tennessee universal reading screener, or a universal reading screener approved by the state board of education, as described in subsection (b), as an alternative growth model for purposes of §§ 49-1-302(d)(2)(B)(ix) and 49-6-105(e) to generate individual growth scores for teachers pursuant to the evaluation guidelines developed by the department. The department shall not base the Tennessee universal math screener, the Tennessee universal reading screener, or a universal reading screener approved by the state board of education used to evaluate teachers pursuant to this subsection (d) on the pre-k/kindergarten portfolio growth model.

49-6-1509. Progress report.

(a) By September 1, 2021, and each September 1 thereafter, LEAs and participating public charter schools shall submit the results of all pre-tests and post-tests administered to the LEA's or participating public charter school's students as part of the after-school learning mini-camps, learning loss bridge camps, and summer learning camps to the department.

(b)

(1) The department shall develop a Tennessee Learning Loss Remediation and Student Acceleration Act progress report to provide information about the effectiveness of the learning loss remediation and student acceleration program to the governor and the general assembly.

(2) The progress report must include:

(A) A statewide summary and interpretation of the information provided by LEAs and public charter schools pursuant to subsection (a);

(B) A landscape analysis and summary of data indicating how the level of overall effectiveness score attained by a licensed teacher on the teacher's most-recent annual evaluation who is providing educational services to students in an after-school learning mini-camp, learning loss bridge camp, or summer learning camp affects the academic performance outcomes of students enrolled in the after-school learning mini-camp, learning loss bridge camp, or summer learning camp. The data reported pursuant to this subdivision (b)(2) (B) must be disaggregated by subject, grade level, and by the type of camp in which the teacher's services were provided; and

(C) Information identifying LEAs and public charter schools unable to adequately staff or conduct an after-school learning mini-camp, learning loss bridge camp, or summer learning camp in compliance with this part due to a natural disaster, the outbreak of a contagious illness, teacher shortages in a grade level or subject required for the respective camp, or other justifiable cause. The information provided pursuant to this subdivision (b)(2)(C) must describe the reason for why the LEA or public charter school was unable to adequately staff or conduct an after-school learning mini-camp, learning loss bridge camp, or summer learning camp in compliance with this part, disaggregated by subject, grade level, and by the type of camp that the LEA or public charter school was unable to adequately staff or conduct.

(3) The report must be submitted to the governor, the speaker of the senate, the speaker of the house of representatives, and the chairs of the education committees of the senate and house of representatives by November 1, 2021, and by each November 1 thereafter.

(c) The results of pre-tests and post-tests submitted to the department shall not be used to assign accountability determinations for any school or district.

49-6-1510. Procurement.

The department shall procure any good or service selected or approved by the department to effectuate this part competitively and in compliance with all state laws and administrative rules regarding the procurement of goods and services by state agencies, including §§ 12-3-101 – 12-3-104. The department shall submit all contracts for the procurement of any good or service selected or approved by the department to effectuate this part to the fiscal review committee of the general assembly for review according to the timelines and requirements established in § 4-56-107(b)(5)(A).

49-6-1511. Emergency rules.

(a) Notwithstanding §§ 4-5-208(a) and 49-6-6006, the state board of education shall promulgate emergency rules to amend the board's rules on the issuance of temporary permits pursuant to § 49-5-106, and the issuance of temporary endorsement exemptions pursuant to § 49-6-6006, to authorize the issuance of permits and endorsement exemptions for individuals to teach subjects for which a Tennessee comprehensive assessment program (TCAP) end-of-course assessment is administered to alleviate teacher shortages that contribute to student learning loss.

(b) The temporary permits and endorsement exemptions authorized by the state board's emergency rules promulgated pursuant to this section expire upon the expiration of the emergency rules, as provided in § 4-5-208.

(c) The emergency rules promulgated by the state board pursuant to this section must comply with the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.) and the Every Student Succeeds Act (20 U.S.C. § 6301 et seq.).

[49-6-3115]

SECTION 2. Tennessee Code Annotated, Section 49-6-3115, is amended by deleting the section and substituting instead the following:

(a)

(1) Beginning with the 2022-2023 school year, a student in the third grade shall not be promoted to the next grade level unless the student is determined to be proficient in English language arts (ELA) based on the student's achieving a performance level rating of "on track" or "mastered" on the ELA portion of the student's most recent Tennessee comprehensive assessment program (TCAP) test.

(2) Notwithstanding subdivision (a)(1):

(A) A student who is not proficient in ELA, as determined by the student's achieving a performance level rating of "approaching" on the ELA portion of the student's most recent TCAP test may be promoted if:

(i) The student is an English language learner and has received less than two (2) years of ELA instruction;

(ii) The student was previously retained in any of the grades kindergarten through three (K-3);

(iii) The student is retested before the beginning the next school year and scores proficient in ELA;

(iv) The student attends a learning loss bridge camp before the beginning of the upcoming school year, maintains a ninety percent (90%) attendance rate at the camp, and the student's performance on the post-test administered to the student at the end of the learning loss bridge camp, as required under § 49-6-1502(4)(F), demonstrates adequate growth, as determined by the department; or

(v) The student is assigned a tutor through the Tennessee accelerating literacy and learning corps (TALLC) to provide the student with tutoring services for the entirety of the upcoming school year based on tutoring requirements established by the department; and

(B) A student who is not proficient in ELA, as determined by the student's achieving a performance level rating of "below" on the ELA portion of the student's most recent TCAP test may be promoted if:

(i) The student is an English language learner and has received less than two (2) years of ELA instruction;

(ii) The student was previously retained in any of the grades kindergarten through three (K-3);

(iii) The student retested before the beginning the next school year and scores proficient in ELA; or

(iv) The student attends a learning loss bridge camp before the beginning of the upcoming school year and maintains a ninety percent (90%) attendance rate at the camp, and is assigned a tutor through the TALLC to provide the student with tutoring services for the entirety of the upcoming school year based on tutoring requirements established by the department.

(3)

(A) A student who is promoted to the fourth grade pursuant to subdivision (a)(2)(A)(v) or (a)(2)(B)(iv), must show adequate growth on the fourth grade ELA portion of the TCAP test, as determined by the department, before the student may be promoted to the fifth grade.

(B) Notwithstanding subdivision (a)(3)(A), a student shall not be retained in the fourth grade more than once.

(b) Subject to available funding, and to the extent authorized by federal law, LEAs and public charter schools may use temporary assistance for needy families (TANF) program funds to cover up to fifty percent (50%) of the costs associated with providing tutoring services for students pursuant to subdivision (a)(2)(B)(iv).

(c)

(1) Subsection (a) does not supersede an LEA's or public charter school's obligation to comply with the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.) or Section 504 of the Rehabilitation Act (29 U.S.C. § 794).

(2) LEAs and public charter schools shall not retain a student based on the student's disability or suspected disability.

(d) The state board of education shall promulgate rules to establish an appeal process, to be administered by the department, for a student who is identified for retention in third grade pursuant to subdivision (a)(1) based on the student's achieving a performance level rating of "approaching" on the ELA portion of the student's most recent TCAP test. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

[Effective date 2/3/2021]

SECTION 3. The headings to sections in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

[49-6-1501 through 49-6-1511; 49-6-3115;]

SECTION 4. The state board of education is authorized to promulgate rules, including emergency rules, to effectuate this part. The rules must be

promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

[Effective date 7/1/2021]

SECTION 5. Sections 1, 3, and 4 of this act take effect upon becoming a law, the public welfare requiring it. Section 2 of this act takes effect July 1, 2022, the public welfare requiring it.

PUBLIC CHAPTER NO. 2

FIRST EXTRAORDINARY SESSION

SENATE BILL NO. 4

By Johnson, White, Yager, Haile, Powers, Reeves, Rose

Substituted for: House Bill No. 3

By Lamberth, Gant, White, Moody, Cepicky, Haston, Ragan, Littleton,
Bricken, Helton, Williams, Rudder, Boyd, Garrett, Terry, Gillespie, Eldridge,
Faison, Sherrell, Smith, Hall, Zachary, Moon, Kumar

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1, Part 2;
Title 49, Chapter 1, Part 3; Title 49, Chapter 1, Part 6; Title 49, Chapter 5,
Part 5 and Title 49, Chapter 6, Part 1, relative to accountability

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

[49-1-302]

SECTION 1. Tennessee Code Annotated, Section 49-1-302(d)(2)(B),
is amended by deleting subdivisions (iv), (v), and (vi), and substituting the
following:

(iv) Notwithstanding subdivisions (d)(2)(B)(ii) and
(iii), if a teacher's or principal's student growth data, as described in
subdivision (d)(2)(B)(ii), reflects attainment of an achievement level
of "at expectations," "above expectations," or "significantly above
expectations," as provided in the evaluation guidelines and rules
adopted by the board pursuant to this subdivision (d)(2), then the
student growth data shall comprise the full fifty percent (50%) student
achievement data portion of the teacher's or principal's evaluation
required under subdivision (d)(2)(B)(i), if such use results in a higher
final evaluation score for the teacher or principal.

(v) Notwithstanding subdivision (d)(2)(B)(iv), if an
individual teacher's student growth data, as described in subdivision
(d)(2)(B)(ii), reflects attainment of an achievement level demonstrating
an effectiveness level of "above expectations" or "significantly above
expectations" as provided in the evaluation guidelines and rules
adopted by the board pursuant to this subdivision (d)(2), then the
student growth data may, at the discretion of the LEA or public charter
school, and upon request of the teacher, comprise one hundred percent
(100%) of the teacher's final evaluation score. If the LEA or public
charter school chooses to implement this subdivision (d)(2)(B)(v), then
it must do so for all teachers with individual growth data who request
its implementation.

(vi) A teacher's most recent year's student growth data,
as described in subdivision (d)(2)(B)(ii), shall comprise the full thirty-
five percent (35%) student growth portion of the teacher's evaluation

required under subdivision (d)(2)(B)(ii), if such use results in a higher final evaluation score for the teacher.

[49-1-302]

SECTION 2. Tennessee Code Annotated, Section 49-1-302(d)(2)(E), is amended by deleting “evaluation score” and substituting “final evaluation score”.

[49-1-302]

SECTION 3. Tennessee Code Annotated, Section 49-1-302(d)(2)(F), is amended by deleting “evaluation score” and substituting “final evaluation score”.

[49-1-302]

SECTION 4. Tennessee Code Annotated, Section 49-1-302(d)(2), is amended by deleting subdivision (G) and substituting instead the following:

(i) Notwithstanding subdivision (d)(2)(B)(ix), the state shall not require teachers in non-tested grades and subjects to be evaluated using an alternative growth model for the 2019-2020 or 2020-2021 school year.

(ii) This subdivision (d)(2)(G) does not prohibit an LEA or public charter school from evaluating teachers in non-tested grades and subjects using an alternative growth model for the 2019-2020 or 2020-2021 school year. If an LEA or public charter school chooses to evaluate its teachers in non-tested grades and subjects using an alternative growth model for the 2020-2021 school year, then the LEA or public charter school must notify the department by March 1, 2021.

(iii) If an LEA or public charter school chooses to evaluate its teachers in non-tested grades and subjects using an alternative growth model for the 2019-2020 or 2020-2021 school year, then data generated from the alternative growth model shall not comprise the student growth portion of a teacher’s evaluation, as described in subdivision (d)(2)(B)(ii), unless such use results in a higher final evaluation score for the teacher.

[49-1-302]

SECTION 5. Tennessee Code Annotated, Section 49-1-302(d)(2), is amended by adding the following as a new subdivision:

(H) Notwithstanding subdivisions (d)(2)(B)(ii) and (iii), for the 2020-2021, 2021-2022, and 2022-2023 school years, student growth evaluation composites generated by assessments administered in the 2020-2021 school year must be excluded from the student growth measure of a teacher’s evaluation, as specified in subdivision (d)(2)(B)(ii), unless including the composites results in a higher final evaluation score for the teacher.

[49-1-302]

SECTION 6. Tennessee Code Annotated, Section 49-1-302(d), is amended by adding the following as a new subdivision:

(8) As used in this subsection (d), “final evaluation score” means an individual’s level of overall effectiveness score.

[49-6-105]

SECTION 7. Tennessee Code Annotated, Section 49-6-105(h), is amended by deleting the language “2019-2020 school year” in subdivisions (1) and (2) and substituting instead the language “2019-2020 or 2020-2021 school year” and by deleting subdivision (3) and substituting instead the following:

(3) If an LEA or public charter school chooses to evaluate its pre-kindergarten and kindergarten teachers, for the 2019-2020 or 2020-2021 school year, using the pre-k/kindergarten growth portfolio model approved by the state board of education, or a comparable alternative measure of student growth approved by the state board of education and adopted by the LEA or public charter school, then data generated from the pre-k/kindergarten growth portfolio model, or the comparable alternative measure of student growth, shall not comprise the student growth portion of a teacher’s evaluation, as described in § 49-1-302(d) (2)(B)(ii), unless such use results in a higher final evaluation score for the teacher.

[49-6-105]

SECTION 8. Tennessee Code Annotated, Section 49-6-105(h)(2), is amended by deleting the language “LEA” and substituting instead the language “LEA or public charter school” and by adding the following language at the end of the subdivision (2):

If an LEA or public charter school chooses to evaluate its pre-kindergarten and kindergarten teachers, for the 2020-2021 school year, using the pre-k/kindergarten growth portfolio model approved by the state board of education, or a comparable alternative measure of student growth approved by the state board of education and adopted by the LEA or public charter school, then the LEA or public charter school must notify the department by March 1, 2021.

[49-6-105]

SECTION 9. Tennessee Code Annotated, Section 49-6-105(h), is amended by adding the following as a new subdivision:

(4) As used in this subsection (h), “final evaluation score” has the same meaning as defined in § 49-1-302(d)(8).

[49-1-617]

SECTION 10. Tennessee Code Annotated, Section 49-1-617, is amended by adding the following as a new subsection:

(e) Notwithstanding subsection (a), each local board of education may choose the percentage, within the range of zero percent (0%)

to twenty-five percent (25%), that scores from the Tennessee comprehensive assessment program (TCAP) tests administered to students in grades three through twelve (3-12) in the 2020-2021 school year count on a student's final grade.

[49-1-228]

SECTION 11. Tennessee Code Annotated, Section 49-1-228, is amended by adding the following new subsections:

(g)(1) If eighty percent (80%) or more of an LEA's or public charter school's students enrolled in grades three through twelve (3-12) participate in the Tennessee comprehensive assessment program (TCAP) tests administered in the 2020-2021 school year, then, notwithstanding subsections (a)-(c), student performance and student growth data generated from the TCAP tests administered in the 2020-2021 school year shall not be used to assign a letter grade to a school.

(2) The commissioner of education may, at the commissioner's discretion, grant an LEA or public charter school a waiver from the eighty-percent-participation requirement in subdivision (g)(1).

(h) The department shall not issue letter grades or any other summative ratings for schools eligible for the accountability protections in subdivision (g)(1) or schools that receive a waiver from the commissioner pursuant to subdivision (g)(2) in the state report card for the 2020-2021 school year; provided, that the department shall provide student performance and student growth data to LEAs, and as required by federal law.

[49-1-602]

SECTION 12. Tennessee Code Annotated, Section 49-1-602(a), is amended by adding the following as a new subdivision:

(6)(A) If eighty percent (80%) or more of an LEA's or public charter school's students enrolled in grades three through twelve (3-12) participate in the Tennessee comprehensive assessment program (TCAP) tests administered in the 2020-2021 school year, then, notwithstanding any provision of this part to the contrary, student performance and student growth data from TCAP tests administered in the 2020-2021 school year shall not be used to identify a school as a priority school or to assign a school to the achievement school district.

(B) The commissioner of education may, at the commissioner's discretion, grant an LEA or public charter school a waiver from the eighty-percent-participation requirement in subdivision (a)(6)(A).

(C) This subdivision (a)(6) does not prohibit the use of student performance and student growth data from TCAP tests administered in the 2020-2021 school year from being used to determine priority exit status for schools identified as priority schools pursuant to subsection (b).

[49-5-503]

SECTION 13. Tennessee Code Annotated, Section 49-5-503(4), is amended by deleting the subdivision and substituting instead the following:

(4) Has received evaluations demonstrating a level of overall effectiveness of “above expectations” or “significantly above expectations” as provided in the evaluation guidelines and rules adopted by the state board of education pursuant to § 49-1-302, during the last two (2) years of the probationary period; provided, however, that a teacher who has met all other requirements for tenure eligibility but has not acquired an official evaluation score during the last one (1) or two (2) years of the probationary period due to an approved extended leave; transfer to another school or position within the school district; unavailable data due to the cancellation of Tennessee comprehensive assessment program (TCAP) tests as a result of the COVID-19 pandemic; or invalidated data due to a successful local level evaluation grievance pursuant to § 49-1-302(d)(2)(A) may utilize the most recent two (2) years of available evaluation scores achieved during the probationary period to meet the provisions of this subdivision (4); and

[49-1-302]

SECTION 14. Tennessee Code Annotated, Section 49-1-302(d)(2)(C)(iv), is amended by adding the following language at the end of the subdivision:

Notwithstanding § 49-2-303(a)(1), student performance on assessments administered in the 2020-2021 school year to assess student readiness for postsecondary education, including, but not limited to, the ACT, must be excluded from the evaluation criteria required for school principals pursuant to this subdivision (d)(2)(C)(iv). This subdivision (d)(2)(C)(iv) does not prohibit a school principal from mutually agreeing with the person or persons responsible for conducting the school principal’s evaluation to include student performance on postsecondary readiness assessments administered in the 2020-2021 school year in the school principal’s evaluation criteria, if including student performance on the postsecondary readiness assessments results in a higher final evaluation score for the school principal.

[49-1-609]

SECTION 15. Tennessee Code Annotated, Title 49, Chapter 1, Part 6, is amended by adding the following as a new section:

To the extent authorized by federal law, student performance on assessments administered in the 2020-2021 school year to assess student readiness for postsecondary education must be excluded from the performance goals and measures required for schools and LEAs pursuant to this part, unless including student performance on postsecondary readiness assessments administered in the 2020-2021 school year results in a higher performance designation for the school or LEA.

[49-1-302; 49-6-105; 49-1-617; 49-1-228; 49-1-602; 49-5-503; 49-1-609]

SECTION 16. The state board of education may promulgate rules, including emergency rules, as necessary to effectuate this act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

[Effective date 2/3/2021]

SECTION 17. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 3
FIRST EXTRAORDINARY SESSION

SENATE BILL NO. 3

By Johnson, Haile, Watson, Powers, Reeves, Rose

Substituted for: House Bill No. 2

By Lamberth, Gant, White, Moody, Cepicky, Haston, Ragan, Littleton,
 Helton, Williams, Rudder, Garrett, Boyd, Terry, Gillespie, Eldridge, Faison,
 Bricken, Sherrell, Smith, Hall, Zachary, Kumar

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1; Title 49,
 Chapter 5 and Title 49, Chapter 6, relative to literacy.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
 TENNESSEE:

[49-1-901]

SECTION 1. Tennessee Code Annotated, Section 49-1-901, is amended by deleting “Tennessee Literacy Initiative Act of 1999” and substituting “Tennessee Literacy Success Act”.

[49-1-902]

SECTION 2. Tennessee Code Annotated, Section 49-1-902, is amended by designating the existing language as subsection (b) and adding the following as a new subsection (a):

(a) The general assembly finds and declares that:

- (1) A literate society is essential to maintaining a free society;
- (2) There is a need to improve literacy rates across the state;
- (3) In 2019, Tennessee’s third grade English language arts proficiency rate was thirty-six and nine-tenths percent (36.9%);
- (4) In 2019, Tennessee’s eighth grade English language arts proficiency rate was twenty-seven and one-tenth percent (27.1%); and
- (5) In 2019, Tennessee ranked thirty-first in the nation in fourth grade reading proficiency and thirtieth in eighth grade reading proficiency.

[49-1-903; 49-1-905; 49-1-906; 49-1-908; 49-1-909]

SECTION 3. Tennessee Code Annotated, Title 49, Chapter 1, Part 9, is amended by adding the following new sections:

49-1-903.

As used in this part:

- (1) “Department” means the department of education;
- (2) “Educator preparation provider” means an entity approved by the state board that is responsible for managing, operating, or

coordinating programs for the preparation and licensure of teachers, school leaders, and other school personnel;

(3) “Foundational literacy skills” means phonemic awareness, phonics, fluency, vocabulary, and comprehension;

(4) “Foundational literacy skills instruction” means an evidence-based method of teaching students to read that includes phonemic awareness, phonics, fluency, vocabulary, and comprehension that enables students to develop the reading skills required to meet Tennessee’s academic standards;

(5) “Foundational literacy skills plan” means a proposal that details how an LEA or public charter school plans to provide foundational literacy skills instruction to students and reading interventions and supports, which may include interventions provided pursuant to Tennessee’s response to instruction and intervention framework manual, to students identified as having a significant reading deficiency;

(6) “Home literacy report” means a report provided to a student’s parent by the LEA or public charter school describing the student’s progress in foundational literacy skills;

(7) “Parent” means a child’s parent or guardian; a person who has custody of the child; or a person designated as the child’s caregiver with the power of attorney for the care of the minor child pursuant to the Power of Attorney for Care of a Minor Child Act, compiled in title 34, chapter 6, part 3, who is authorized to enroll the child in public school pursuant to § 49-6-3001;

(8) “Significant reading deficiency” means:

(A) For students in kindergarten through grade three (K-3), that a student’s score on a universal reading screener is within the range of scores determined by the department to demonstrate a lack of proficiency in foundational literacy skills; and

(B) For students in grades four (4) or five (5), that a student scored below proficient in English language arts on the Tennessee comprehensive assessment program (TCAP) test most recently administered to the student;

(9) “State board” means the state board of education;

(10) “Tennessee universal reading screener” means the universal reading screener provided by the department; and

(11) “Universal reading screener” means a uniform tool that screens and monitors a student’s progress in foundational literacy skills.

49-1-905.

(a) Each LEA and public charter school shall provide:

(1) Foundational literacy skills instruction to students in kindergarten through grade three (K-3). Foundational literacy skills instruction must be the LEA’s primary form of instructional programming in English language arts; and

(2) Reading interventions and supports designed to improve a student's foundational literacy skills to each student identified as having a significant reading deficiency. An LEA or public charter school may comply with this subdivision (a)(2) by providing the interventions identified in Tennessee's response to instruction and intervention (RTI²) framework manual.

(b)(1) To ensure that all textbooks and instructional materials used to teach students to read are based on foundational literacy skills instruction, each LEA and public charter school shall adopt and use English language arts textbooks and instructional materials from the list approved for adoption by the state board pursuant to § 49-6-2202, unless a waiver is granted to the LEA or public charter school pursuant to § 49-6-2206.

(2) LEAs and public charter schools using English language arts textbooks or instructional materials from the list approved for adoption by the state board in 2019, or that received a waiver pursuant to § 49-6-2206 to use English language arts textbooks or instructional materials that were not included on the list approved for adoption in 2019, are not required to adopt or purchase additional English language arts textbooks or instructional materials to comply with subdivision (b) (1).

(3) Notwithstanding subdivision (b)(2), all English language arts textbooks and instructional materials must be aligned to Tennessee's academic standards no later than January 1, 2023. The office of the comptroller of the treasury shall conduct a review of the English language arts textbooks and instructional materials adopted for use by each LEA and public charter school to ensure compliance with this subdivision (b)(3). The comptroller, or the comptroller's designee, shall submit a report detailing the findings of the review to the education committees of the senate and house of representatives no later than May 1, 2023.

(c)(1) Each LEA and public charter school shall annually administer a universal reading screener to each student in kindergarten through grade three (K-3) during each of the three (3) administration windows established by the department.

(2) An LEA or public charter school may choose to administer:

(A) The Tennessee universal reading screener provided by the department or a universal reading screener approved by the state board to comply with subdivision (c)(1); and

(B) A universal reading screener to pre-kindergarten students.

(3) The department shall provide the Tennessee universal reading screener at no cost to LEAs or public charter schools. The Tennessee universal reading screener:

(A) Must be appropriate for students in pre-kindergarten through grade three (pre-K-3); and

(B) May be used by LEAs and public charter schools to comply with the dyslexia screening requirements established in § 49-1-229 and with the universal screening requirements established in Tennessee's RTI² framework manual.

(4) The department shall determine the reading proficiency level scores required for the Tennessee universal reading screener and each universal reading screener approved by the state board.

(5) The results of universal reading screeners administered to students shall not be used to assign accountability determinations for an LEA or school.

(6) Each LEA and public charter school shall submit the results of each universal reading screener administered to students to the department. All student information must be maintained in accordance with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g), § 10-7-504, and all other applicable state and federal privacy laws.

(d) Immediately upon determining that a student in kindergarten through grade three (K-3) has a significant reading deficiency, based on the results of the universal reading screener most recently administered to the student, the LEA or public charter school shall notify the student's parent in writing that the student has been identified to have a significant reading deficiency, and shall provide the student's parent with:

(1) Information about the importance of a student being able to read proficiently at the end of the third-grade level;

(2) Reading intervention activities that the parent may use with the parent's student at home to improve reading proficiency; and

(3) Information about the specific reading interventions and supports that the LEA or public charter school recommends for the student, which may include the interventions provided by the LEA or public charter school pursuant to Tennessee's RTI² framework manual.

(e) An LEA or public charter school shall provide at least one (1) home literacy report:

(1) After each administration of a universal reading screener to a student in any of the grades kindergarten through three (K-3) identified as having a significant reading deficiency; and

(2) Each school year for a student in grade four (4) or five (5) identified as having a significant reading deficiency.

(f) To demonstrate the effective implementation of foundational literacy skills instruction under this section, each LEA and public charter school shall develop, and submit to the department for approval, a foundational literacy skills plan for students in kindergarten through grade five (K-5). LEAs and public charter schools have flexibility and autonomy in developing a foundational literacy skills plan, but each foundational literacy skills plan must include, at a minimum:

(1) The amount of daily time devoted to foundational literacy skills instruction and a description of how the instructional time is utilized;

(2) The English language arts textbooks and instructional materials adopted by the LEA or public charter school pursuant to subsection (b);

(3) The universal reading screener selected by the LEA or public charter school for administration to students to comply with subsection (c);

(4) A description of the reading interventions and supports available to students with a significant reading deficiency for purposes of subdivision (d)(3);

(5) How the LEA or public charter school intends to notify and engage parents in the parent's student's literacy progress pursuant to subsections (d) and (e); and

(6) How the LEA or public charter school will provide professional development in foundational literacy skills instruction to teachers in any of the grades kindergarten through five (K-5).

(g)(1) No later than June 1, 2021, each LEA and public charter school shall submit a foundational literacy skills plan to the department for approval. Each LEA and public charter school shall submit a revised foundational literacy skills plan to the department for approval no later than July 1, 2024, and triennially thereafter.

(2) Notwithstanding subdivision (g)(1), an LEA or public charter school shall not be required to submit a revised foundational literacy skills plan if, on the date on which the foundational literacy skills plan or the revised foundational literacy skills plan is due under subdivision (g)(1), the LEA's or public charter school's Tennessee Value-Added Assessment System (TVAAS) data meets the following criteria:

(A) The LEA's or public charter school's district-wide student growth data for fourth grade English language arts for the two (2) Tennessee comprehensive assessment program (TCAP) test administrations immediately preceding the date on which the foundational literacy skills plan or the revised foundational literacy skills plan is due under subdivision (g)(1) reflects an attainment level of "above expectations" or "significantly above expectations"; and

(B) The LEA's or public charter school's student growth data for each individual student subgroup, as defined in Tennessee's Every Student Succeeds Act (ESSA) plan established pursuant to the Every Student Succeeds Act (20 U.S.C. § 6301 et seq.) and § 49-1-602, for fourth grade English language arts for the two (2) TCAP test administrations immediately preceding the date on which the foundational literacy skills plan or the revised foundational literacy skills plan is due under subdivision (g)(1) reflects an attainment level of "above expectations" or "significantly above expectations."

(3) Notwithstanding subdivision (g)(1), the department may require an LEA or public charter school to submit a revised foundational literacy skills plan more frequently than once every three (3) years if the LEA's or public charter school's TVAAS data meets the following criteria:

(A) The LEA's or public charter school's student growth data for any school in the district, or any set of schools in the district, as determined by the department, for fourth grade English language arts for the two (2) TCAP test administrations immediately preceding the date on which the foundational literacy skills plan or the revised foundational literacy skills plan is due under subdivision (g)(1) reflects an attainment level of a "significantly below expectations"; or

(B) The LEA's or public charter school's student growth data for each individual student subgroup, as defined in Tennessee's ESSA plan established pursuant to the Every Student Succeeds Act (20 U.S.C. § 6301 et seq.) and § 49-1-602, for fourth grade English language arts for the two (2) TCAP test administrations immediately preceding the date on which the foundational literacy skills plan or the revised foundational literacy skills plan is due under subdivision (g)(1) reflects an attainment level of "below expectations" or "significantly below expectations."

(4)(A) Each LEA and public charter school shall post the LEA's or public charter school's department-approved foundational literacy skills plan on the LEA's or public charter school's website.

(B) The department shall post the foundational literacy skills plan approved for each LEA and public charter school on the department's website.

(5)(A) The state board, in consultation with the department, shall promulgate rules to establish additional guidelines and requirements for foundational literacy skills plans, consistent with this subsection (g). The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(B) The state board, in consultation with the department, may promulgate emergency rules to establish additional guidelines and requirements for foundational literacy skills plans, consistent with this subsection (g), for the 2021-2022 school year. The state board shall submit any emergency rules promulgated pursuant to this subdivision (g)(5)(B) to the chair of the government operations committees of the senate and house of representatives at least twenty-four (24) hours prior to filing the rules with the secretary of state.

(6) The office of the comptroller of the treasury shall conduct a review of the foundational literacy skills plans submitted to the department for approval to ensure the plans comply with the requirements of subsection (f) and the rules promulgated by the state board. The comptroller, or the comptroller's designee, shall submit a report detailing the findings of the review, including, but not limited to, whether plans were initially approved or denied by the department, and the nature of any plan revisions or amendments required by the

department for approval, to the chairs of the education committees of the senate and house of representatives no later than November 1, 2021, and by each November 1 thereafter.

(h) An LEA or public charter school shall not use instructional materials created to align with common core academic standards in implementing the requirements of this section.

49-1-906.

(a) The department shall develop at least one (1) professional development course on foundational literacy skills instruction that is available, at no cost, to teachers in kindergarten through grade five (K-5) that may be used by teachers to earn professional development points.

(b) By August 1, 2023, teachers in kindergarten through grade five (K-5) must complete at least one (1) professional development course on foundational literacy skills instruction approved by the department. Each LEA and public charter school shall approve professional development points, pursuant to the state board's educator licensure policies and rules, for at least one (1) department-approved literacy-based training completed by a teacher.

(c) By August 1, 2022, the department shall develop a foundational literacy skills instruction course and accompanying instructional materials that may be used by high school students participating in a teaching-as-a-profession career pathway developed or facilitated by the department.

49-1-908.

(a) By July 1, 2024, the department, in partnership with the state board and the Tennessee higher education commission, must provide a report to the chairs of the education committees of the senate and the house of representatives regarding the implementation of this act.

(b)(1) By December 31, 2021, for purposes of consolidating existing information for the general assembly, the department must conduct the following review:

(A) A landscape analysis of literacy in this state, including current practices, student achievement, instructional programming for students, and remediation services;

(B) A landscape analysis of literacy instruction, including instructional programming and pedagogical practices utilized by educator preparation providers; and

(C) A joint analysis, with the Tennessee higher education commission, regarding the affordability of educator preparation providers, including tuition affordability and net-tuition affordability for future educators and costs relative to educator preparation providers in other states; student loan and debt burdens of educator preparation provider graduates; financial barriers that may prevent postsecondary students and career changers from pursuing teaching as a profession; and the ability to reduce the costs of obtaining educator preparation and credentials.

(2) Educator preparation providers approved by the state board must participate in the review.

(3) By March 1, 2022, the results of the review must be reported to the state board and the chairs of the education committees of the senate and the house of representatives and posted on the department's website.

(4) In conducting the review, all student information must be maintained in accordance with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g), § 10-7-504, and all other applicable state and federal privacy laws.

49-1-909.

The department shall procure any good or service selected or approved by the department to effectuate this part competitively and in compliance with all state laws and administrative rules regarding the procurement of goods and services by state agencies, including §§ 12-3-101 – 12-3-104. The department shall submit all contracts for the procurement of any good or service selected or approved by the department to effectuate this part to the fiscal review committee of the general assembly for review according to the timelines and requirements established in § 4-56-107(b)(5)(A).

[49-5-5619]

SECTION 4. Tennessee Code Annotated, Title 49, Chapter 5, Part 56, is amended by adding the following as a new section:

49-5-5619.

(a) By July 31, 2021:

(1) The department shall develop and submit to the state board for approval, foundational literacy skills standards for use by all educator preparation providers for the instruction of candidates seeking a license to teach students in kindergarten through grade three (K-3).

(2) The department shall develop and submit to the state board for approval, foundational literacy skills standards for use by educator preparation providers in instructional leadership specialty area programs for the instruction of candidates seeking an instructional leader license.

(3) The foundational literacy skills standards must include, at a minimum:

(A) How to effectively teach the foundational literacy skills of phonemic awareness, phonics, fluency, vocabulary, and comprehension;

(B) How to differentiate instruction for teaching students with advanced reading skills and students with significant reading deficiencies, as defined in § 49-1-903;

(C) Dyslexia identification and providing effective instruction for teaching students with dyslexia using appropriate

scientific research and brain-based multisensory intervention methods and strategies consistent with § 49-6-3004(c)(1)(A);

(D) How to implement reading instruction using high-quality instructional materials;

(E) Behavior management, trauma-informed principles and practices for the classroom, and other developmentally appropriate supports to ensure that students can effectively access reading instruction; and

(F) How to administer universal reading screeners to students and use the resulting data to improve reading instruction for students.

(b) Beginning August 1, 2022, educator preparation providers must provide to candidates seeking licensure to teach students in kindergarten through grade three (K-3), as well as candidates seeking an instructional leader license, training on reading instruction focused primarily on the foundational literacy skills standards developed and approved in accordance with subsection (a).

(c)(1) Effective August 1, 2023, an applicable candidate must:

(A) Provide a certificate documenting the candidate's passage of a Tennessee reading instruction test developed or identified by the department and approved by the state board that tests the candidate's knowledge of foundational literacy skills instruction, as defined in § 49-1-903; or

(B) Provide evidence documenting the candidate's completion of a foundational literacy skills instruction course, as described in § 49-1-906, within the previous year.

(2) The department shall recommend to the state board for approval, the score that constitutes passage of the test described in subdivision (c)(1)(A).

(3) The department shall provide the test described in subdivision (c)(1)(A) at no cost to the candidate or educator preparation provider.

(4) As used in this subsection (c), "applicable candidate" means:

(A) A candidate seeking an initial teaching license or endorsement, or renewing a teaching license, that authorizes the candidate to teach students in kindergarten through grade three (K-3);

(B) A candidate seeking an initial instructional leader license, or renewing or advancing an instructional leader license;

(C) A candidate enrolled in a state-board-approved, post-baccalaureate educator preparation program who holds an initial license authorizing the candidate to teach students in kindergarten through grade three (K-3); who has demonstrated content knowledge in accordance with the state board's rules and policies; and who is seeking renewal or advancement of the initial teaching license;

(D) A candidate for an initial teaching license that authorizes the candidate to teach students in kindergarten through

grade three (K-3) who possesses an active professional-level license in a state that has a reciprocal agreement with the state board pursuant to § 49-5-109, and who is seeking renewal or advancement of the initial teaching license;

(E) A candidate for an initial instructional leader license who possesses an active professional-level license in a state that has a reciprocal agreement with the state board pursuant to § 49-5-109, and who is seeking renewal or advancement of the initial instructional leader license; or

(F) A candidate seeking to renew a professional-level license that authorizes the candidate to teach students in kindergarten through grade three (K-3).

[49-1-302]

SECTION 5. Tennessee Code Annotated, Section 49-1-302(d)(2)(B), is amended by adding the following as a new subdivision:

Beginning with the 2021-2022 school year, LEAs and public charter schools may authorize teachers in the non-tested grades pre-kindergarten through two (pre-K-2) to use the results of the Tennessee universal reading screener or a universal reading screener approved by the state board, as described in § 49-1-905(c), as an approved alternative growth model for purposes of § 49-6-105(e) and subdivision (d)(2)(B)(ix) to generate individual growth scores for teachers pursuant to the evaluation guidelines developed by the department. The department shall not base the Tennessee universal reading screener or a universal reading screener approved by the state board used to evaluate teachers pursuant to this subdivision (d)(2)(B)() on the pre-k/kindergarten portfolio growth model.

[49-1-901; 49-1-902; 49-1-903; 49-1-905; 49-1-906; 49-1-908; 49-1-909; 49-5-5619; 49-1-302]

SECTION 6. The state board of education is authorized to promulgate rules, including emergency rules, to effectuate this act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

[Effective date 2/3/2021]

SECTION 7. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 4
FIRST EXTRAORDINARY SESSION
SENATE BILL NO. 9

By Johnson, Watson, Haile, Kelsey, Powers, Reeves, Rose

Substituted for: House Bill No. 20

By Lamberth, Gant, Hazlewood, Gary Hicks, Williams, Smith, Terry, Hall,
Zachary, Kumar, Curcio, Haston, Moody, White, Cepicky

AN ACT to make appropriations for the purpose of defraying the expenses of the state government for the fiscal years beginning July 1, 2020, and July 1, 2021, in the administration, operation, and maintenance of the legislative, executive, and judicial branches of the various departments, institutions, offices, and agencies of the state; for certain state aid and obligations; for capital outlay, for the service of the public debt, for emergency and contingency; to repeal certain appropriations and any acts inconsistent herewith; to provide provisional continuing appropriations; and to establish certain provisions, limitations, and restrictions under which appropriations may be obligated and expended. This act makes appropriations for the purposes described above for the fiscal years beginning July 1, 2020, and July 1, 2021.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. There are appropriated sums sufficient to the appropriate entities to provide the first year's funding for any act which receives final passage during the extraordinary session.

SECTION 2. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$67,331,900 (non-recurring) to the Department of Education for the sole purpose of implementing Senate Bill 2 / House Bill 4, relative to learning loss, if such bill becomes a law. The Commissioner of Finance and Administration is authorized to adjust federal aid and other departmental revenue accordingly.

SECTION 3. There is appropriated the amount of \$30,029,300 (non-recurring) to the Department of Education, Basic Education Program, to provide a pool of funds for employee salary increases for teachers and other certified staff, effective January 1, 2021; provided, further, that said increases will be allocated according to the salary and compensation schedules of each Local Education Agency. The state shall provide LEAs with one hundred percent (100%) of the increased funding provided pursuant to this section. The Department of Education shall calculate and report the amount of increased funds that each public charter school should receive. The LEA shall include, in the per pupil funding amount required under Tennessee Code Annotated, Section 49-13-112(a), all increased funds that are due to public charter schools operating in the LEA. LEAs are not required to match the increased funding provided pursuant to this section.

SECTION 4. There is appropriated the amount of \$12,870,000 (non-recurring) to the Department of Education, Basic Education Program, to provide a pool of funds for employee salary increases for teachers and other certified staff, effective January 1, 2021, through the end of the fiscal year ending on June 30, 2021; provided, further, that said increases will be allocated according to the salary and compensation schedules of each Local Education Agency. The state shall provide LEAs with one hundred percent (100%) of the increased funding provided pursuant to this section. The Department of Education shall calculate and report the amount of increased funds that each public charter school should receive. The LEA shall include, in the per pupil funding amount required under Tennessee Code Annotated, Section 49-13-112(a), all increased funds that are due to public charter schools operating in the LEA. LEAs are not required to match the increased funding provided pursuant to this section.

SECTION 5. If any provisions of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

[Effective date 2/3/2021]

SECTION 6. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 1**SENATE BILL NO. 4****By Watson**

Substituted for: House Bill No. 132

By Hazlewood

AN ACT to amend Tennessee Code Annotated, Title 3, Chapter 17, relative to nonprofit gaming.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[3-17-103]

SECTION 1. Tennessee Code Annotated, Section 3-17-103(d)(1)(A), is amended by adding the following new subdivision:

(iii) Notwithstanding any law to the contrary, an organization that is authorized to hold an annual event from the period January 1, 2021, through June 30, 2021, may hold the authorized annual event no later than sixty (60) calendar days after the event date listed in the annual event application, or June 30, 2021, whichever date is earlier; provided, that such authorization under this subdivision (d)(1)(A)(iii) only applies on a one-time basis.

[Effective date 3/23/2021]

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 2**SENATE BILL NO. 33****By Roberts, Crowe, Pody**

Substituted for: House Bill No. 259

By Ragan, Crawford

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 43, Chapter 29, relative to the beef promotion board.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (4).

[4-29-250; 43-29-118]

SECTION 2. Tennessee Code Annotated, Title 4, Chapter 29, Part 2, is amended by adding the following as a new section:

4-29-250.

(a) The following governmental entities terminate on June 30, 2029:

() Beef promotion board, created by § 43-29-118;

(b) Each department, commission, board, agency, or council of state government created during calendar year 2027 terminates on June 30, 2029.

(c) Any governmental entity that has been terminated under this section may be continued, reestablished, or restructured in accordance with this chapter.

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 3**SENATE BILL NO. 34****By Roberts, Watson**

Substituted for: House Bill No. 260

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 63, Chapter 4, relative to the board of chiropractic examiners.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (5).

[4-29-247; 63-4-102]

SECTION 2. Tennessee Code Annotated, Section 4-29-247(a), is amended by inserting the following as a new subdivision:

() Board of chiropractic examiners, created by § 63-4-102;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 4

SENATE BILL NO. 35

By Roberts, Watson

Substituted for: House Bill No. 261

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 63, Chapter 17, relative to the board of communication disorders and sciences.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (6).

[4-29-247; 63-17-104]

SECTION 2. Tennessee Code Annotated, Section 4-29-247(a), is amended by inserting the following as a new subdivision:

() Board of communication disorders and sciences, created by § 63-17-104;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 5**SENATE BILL NO. 36****By Roberts, Crowe, Watson**

Substituted for: House Bill No. 262

By Ragan, Crawford

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 63, Chapter 5, relative to the board of dentistry.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (7).

[4-29-247; 63-5-101]

SECTION 2. Tennessee Code Annotated, Section 4-29-247(a), is amended by inserting the following as a new subdivision:

() Board of dentistry, created by § 63-5-101;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 6

SENATE BILL NO. 37

By Roberts

Substituted for: House Bill No. 263

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 63, Chapter 14, relative to the board of dispensing opticians.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (8).

[4-29-247; 63-14-101]

SECTION 2. Tennessee Code Annotated, Section 4-29-247(a), is amended by inserting the following as a new subdivision:

() Board of dispensing opticians, created by § 63-14-101;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 7**SENATE BILL NO. 39****By Roberts, Crowe**

Substituted for: House Bill No. 265

By Ragan, Crawford

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 63, Chapter 19, relative to the board of medical examiners' committee on physician assistants.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (10).

[4-29-247; 63-19-103]

SECTION 2. Tennessee Code Annotated, Section 4-29-247(a), is amended by inserting the following as a new subdivision:

() Board of medical examiners' committee on physician assistants, created by § 63-19-103;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 8

SENATE BILL NO. 41

By Roberts, Crowe, Watson

Substituted for: House Bill No. 268

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 63, Chapter 8, relative to the board of optometry.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (12).

[4-29-247; 63-8-103]

SECTION 2. Tennessee Code Annotated, Section 4-29-247(a), is amended by inserting the following as a new subdivision:

() Board of optometry, created by § 63-8-103;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 9**SENATE BILL NO. 42****By Roberts, Crowe**

Substituted for: House Bill No. 269

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 63, Chapter 3, relative to the board of pediatric medical examiners.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (13).

[4-29-247; 63-3-103]

SECTION 2. Tennessee Code Annotated, Section 4-29-247(a), is amended by inserting the following as a new subdivision:

() Board of pediatric medical examiners, created by § 63-3-103;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 10

SENATE BILL NO. 43

By Roberts, Crowe, Watson

Substituted for: House Bill No. 270

By Ragan, Crawford

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 63, Chapter 12, relative to the board of veterinary medical examiners.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (14).

[4-29-247; 63-12-104]

SECTION 2. Tennessee Code Annotated, Section 4-29-247(a), is amended by inserting the following as a new subdivision:

() Board of veterinary medical examiners, created by § 63-12-104;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 11**SENATE BILL NO. 47****By Roberts**

Substituted for: House Bill No. 273

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 13, Chapter 26, relative to the delta human resource agency.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (18).

[4-29-247; 13-26-102]

SECTION 2. Tennessee Code Annotated, Section 4-29-247(a), is amended by inserting the following as a new subdivision:

() Delta human resource agency, created by § 13-26-102;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 12

SENATE BILL NO. 51

By Roberts, Powers

Substituted for: House Bill No. 276

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4 and Title 33, relative to the department of mental health and substance abuse services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (22).

[4-29-246; 4-3-101; 4-3-1601]

SECTION 2. Tennessee Code Annotated, Section 4-29-246(a), is amended by inserting the following as a new subdivision:

() Department of mental health and substance abuse services, created by §§ 4-3-101 and 4-3-1601;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 13**SENATE BILL NO. 52****By Roberts**

Substituted for: House Bill No. 277

By Ragan, Crawford

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 13, Chapter 26, relative to the East Tennessee human resource agency.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (23).

[4-29-247; 13-26-102]

SECTION 2. Tennessee Code Annotated, Section 4-29-247(a), is amended by inserting the following as a new subdivision:

() East Tennessee human resource agency, created by § 13-26-102;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 14

SENATE BILL NO. 54

By Roberts

Substituted for: House Bill No. 279

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 43, Chapter 29, relative to the egg promotion board.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (25).

[43-29-120]

SECTION 2. Tennessee Code Annotated, Section 43-29-120, is amended by deleting the section.

[43-29-120]

SECTION 3. Notwithstanding Tennessee Code Annotated, Section 4-29-112, the egg promotion board, created by Tennessee Code Annotated, Section 43-29-120, terminates and ceases to exist.

[Effective date 3/23/2021]

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 15**SENATE BILL NO. 56****By Roberts, Crowe**

Substituted for: House Bill No. 281

By Ragan, Crawford

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 13, Chapter 26, relative to the First Tennessee human resource agency.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (27).

[4-29-247; 13-26-102]

SECTION 2. Tennessee Code Annotated, Section 4-29-247(a), is amended by inserting the following as a new subdivision:

() First Tennessee human resource agency, created by§ 13-26-102;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 16

SENATE BILL NO. 57

By Roberts, Hensley

Substituted for: House Bill No. 282

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 13, Part 2 and Title 4, Chapter 29, relative to the James K. Polk memorial association.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (30).

[4-29-248; 4-13-201]

SECTION 2. Tennessee Code Annotated, Section 4-29-248(a), is amended by inserting the following as a new subdivision:

() James K. Polk memorial association, created by § 4-13-201;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 17**SENATE BILL NO. 58****By Roberts, Powers**

Substituted for: House Bill No. 283

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 13, Chapter 26, relative to the Mid-Cumberland human resource agency.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (31).

[4-29-247; 13-26-102]

SECTION 2. Tennessee Code Annotated, Section 4-29-247(a), is amended by inserting the following as a new subdivision:

() Mid-Cumberland human resource agency, created by § 13-26-102;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 18

SENATE BILL NO. 60

By Roberts

Substituted for: House Bill No. 285

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 13, Chapter 26, relative to the Northwest Tennessee human resource agency.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (33).

[4-29-247; 13-26-102]

SECTION 2. Tennessee Code Annotated, Section 4-29-247(a), is amended by inserting the following as a new subdivision:

() Northwest Tennessee human resource agency, created by § 13-26-102;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 19**SENATE BILL NO. 62****By Roberts**

Substituted for: House Bill No. 287

By Ragan, Howell

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 11, Chapter 8, relative to the Ocoee River recreation and economic development fund board.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (35).

[4-29-249; 11-8-104]

SECTION 2. Tennessee Code Annotated, Section 4-29-249(a), is amended by inserting the following as a new subdivision:

() Ocoee River recreation and economic development fund board, created by § 11-8-104;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 20**SENATE BILL NO. 63****By Roberts**

Substituted for: House Bill No. 288

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 43, Chapter 29, relative to the pork promotion board.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (36).

[4-29-250; 43-29-119]

SECTION 2. Tennessee Code Annotated, Title 4, Chapter 29, Part 2, is amended by adding the following as a new section:

4-29-250.

(a) The following governmental entities terminate on June 30, 2029:

() Pork promotion board, created by § 43-29-119;

(b) Each department, commission, board, agency, or council of state government created during calendar year 2027 terminates on June 30, 2029.

(c) Any governmental entity that has been terminated under this section may be continued, reestablished, or restructured in accordance with this chapter.

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 21**SENATE BILL NO. 64****By Roberts**

Substituted for: House Bill No. 253

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 16, Chapter 3, Part 9, relative to the private probation services council.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (37).

[4-29-246; 16-3-901]

SECTION 2. Tennessee Code Annotated, Section 4-29-246(a), is amended by inserting the following as a new subdivision:

() Private probation services council, created by § 16-3-901;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 22

SENATE BILL NO. 67

By Roberts

Substituted for: House Bill No. 266

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 13, Chapter 26, relative to the South Central Tennessee human resource agency.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (40).

[4-29-248; 13-26-102]

SECTION 2. Tennessee Code Annotated, Section 4-29-248(a), is amended by inserting the following as a new subdivision:

 () South Central Tennessee human resource agency, created by § 13-26-102;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 23**SENATE BILL NO. 68****By Roberts**

Substituted for: House Bill No. 289

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 13, Chapter 26, relative to the Southeast Tennessee human resource agency.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (41).

[4-29-248; 13-26-102]

SECTION 2. Tennessee Code Annotated, Section 4-29-248(a), is amended by inserting the following as a new subdivision:

() Southeast Tennessee human resource agency, created by § 13-26-102;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 24

SENATE BILL NO. 69

By Roberts

Substituted for: House Bill No. 290

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 11, Chapter 4, relative to the Southeastern Interstate Forest Fire Protection Compact.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (42).

[4-29-248; 11-4-501]

SECTION 2. Tennessee Code Annotated, Section 4-29-248(a), is amended by inserting the following as a new subdivision:

 () Southeastern Interstate Forest Fire Protection Compact, created by § 11-4-501;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 25**SENATE BILL NO. 70****By Roberts**

Substituted for: House Bill No. 291

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 13, Chapter 26, relative to the Southwest Tennessee human resource agency.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (43).

[4-29-247; 13-26-102]

SECTION 2. Tennessee Code Annotated, Section 4-29-247(a), is amended by inserting the following as a new subdivision:

() Southwest Tennessee human resource agency, created by § 13-26-102;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 26

SENATE BILL NO. 71

By Roberts, Crowe, Reeves, Watson

Substituted for: House Bill No. 292

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 71, Chapter 2, relative to the state Alzheimer's disease and related dementia advisory council.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (44).

[4-29-247; 71-2-117]

SECTION 2. Tennessee Code Annotated, Section 4-29-247(a), is amended by inserting the following as a new subdivision:

 () State Alzheimer's disease and related dementia advisory council, created by § 71-2-117;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 27**SENATE BILL NO. 73****By Roberts**

Substituted for: House Bill No. 294

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 62, Chapter 18, relative to the state board of examiners for land surveyors.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (46).

[4-29-248; 62-18-103]

SECTION 2. Tennessee Code Annotated, Section 4-29-248(a), is amended by inserting the following as a new subdivision:

() State board of examiners for land surveyors, created by § 62-18-103;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 28

SENATE BILL NO. 74

By Roberts, Crowe

Substituted for: House Bill No. 295

By Ragan, Crawford

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 11, Chapter 4, relative to the state forestry commission.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (47).

[4-29-248; 11-4-201]

SECTION 2. Tennessee Code Annotated, Section 4-29-248(a), is amended by inserting the following as a new subdivision:

() State forestry commission, created by § 11-4-201;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 29**SENATE BILL NO. 78****By Roberts**

Substituted for: House Bill No. 318

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 33, Chapter 1, Part 4, relative to the statewide planning and policy council for the department of mental health and substance abuse services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (51).

[4-29-246; 33-1-401]

SECTION 2. Tennessee Code Annotated, Section 4-29-246(a), is amended by inserting the following as a new subdivision:

() Statewide planning and policy council for the department of mental health and substance abuse services, created by§ 33-1-401;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 30**SENATE BILL NO. 79****By Roberts**

Substituted for: House Bill No. 299

By Ragan, Crawford

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 10 and Title 4, Chapter 29, relative to the Tennessee advisory commission on intergovernmental relations.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (52).

[4-29-250; 4-10-102]

SECTION 2. Tennessee Code Annotated, Title 4, Chapter 29, Part 2, is amended by adding the following as a new section:

4-29-250.

(a) The following governmental entities terminate on June 30, 2029:

 () Tennessee advisory commission on intergovernmental relations, created by § 4-10-102;

(b) Each department, commission, board, agency, or council of state government created during calendar year 2027 terminates on June 30, 2029.

(c) Any governmental entity that has been terminated under this section may be continued, reestablished, or restructured in accordance with this chapter.

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 31**SENATE BILL NO. 80****By Roberts, Pody**

Substituted for: House Bill No. 300

By Ragan, Crawford

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 42, Chapter 2, Part 3, relative to the Tennessee aeronautics commission.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (53).

[4-29-248; 42-2-301]

SECTION 2. Tennessee Code Annotated, Section 4-29-248(a), is amended by inserting the following as a new subdivision:

() Tennessee aeronautics commission, created by § 42-2-301;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 32**SENATE BILL NO. 81****By Roberts**

Substituted for: House Bill No. 301

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 68, Chapter 115, relative to the Tennessee athletic commission.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (54).

[4-29-246; 68-115-103]

SECTION 2. Tennessee Code Annotated, Section 4-29-246(a), is amended by inserting the following as a new subdivision:

() Tennessee athletic commission, created by § 68-115-103;

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 33**SENATE BILL NO. 108****By Johnson**

Substituted for: House Bill No. 118

By Lamberth, Gant, Crawford

AN ACT to revise and codify the general and public statutes of the State of Tennessee, to the extent incorporated herein, as a part of Tennessee Code Annotated; to provide in case of any conflict between Acts of the regular or any extraordinary 2021 Session of the General Assembly and this Act, the former shall be controlling, regardless of the respective dates of passage or approval; and to repeal all acts or parts of acts codified in this Act.

WHEREAS, each year the General Assembly passes a codification bill, which reenacts the general acts of a permanent nature that were enacted by the General Assembly in the preceding year; and

WHEREAS, the annual codification bill makes no substantive changes to the content of the State's body of law; the bill simply integrates recent public acts into the Tennessee Code to make such code, in its updated form, the official compilation of the laws of this State; and

WHEREAS, because it contains the statutory text of almost every general bill passed by the preceding year's General Assembly, the annual codification bill is always quite lengthy; the 2021 codification bill is composed of two volumes, which total more than 900 pages; and

WHEREAS, because of the length of the bill, its contents are being made available electronically; the contents may be accessed by legislative staff and members on the "common (G)" drive, in the folder entitled "Codification Bill." The volumes may also be accessed by legislative staff, members, and the public on the legislature's website at the following link: <http://www.capitol.tn.gov/legislation/publications/index.html>; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[1-2-114]

SECTION 1. The General and Public Laws of the State of Tennessee, to the extent incorporated herein, on revisal shall be a part of Tennessee Code Annotated as follows, to wit:

(Contents of bill attached)

[Effective date 3/23/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 34**SENATE BILL NO. 233****By Hensley**

Substituted for: House Bill No. 23

By Darby, Cepicky, White, Terry, Sherrell, Love, Dixie, Parkinson, Helton,
Camper, Williams, Hazlewood

AN ACT to amend Tennessee Code Annotated, Title 49; Title 56 and Title 63,
relative to speech-language pathologists.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

SECTION 1.

The department of education shall survey all LEAs, public charter schools, and state special schools to determine whether there is a sufficient number of speech-language pathologists licensed by the state board of education to meet the needs of students with speech, language, or communication needs in the public schools of this state. The department shall also survey and collect information on the licensed speech-language pathologists' caseloads and workloads, including the number of students evaluated, observed, and assisted per week and the amount of time per week that the pathologists spend in direct contact with students, in individual education program (IEP) meetings, traveling between schools, and completing documentation. The department shall report its findings and recommendations to the education committees of the senate and house of representatives by January 15, 2022.

[Effective date 3/23/2021]

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 35**SENATE BILL NO. 390****By Powers**

Substituted for: House Bill No. 504

By Hodges, Hall, Moon, Ragan, Wright, Griffey, Camper, Gloria Johnson,
Parkinson, Chism, Dixie, Beck, Jernigan, Powell, Mitchell, Freeman,
McKenzie, Windle, Miller, Lamar, Harris, Stewart, Reedy,

Helton, Gillespie, Whitson, Hazlewood

AN ACT to amend Tennessee Code Annotated, Title 15, Chapter 2, relative to
Women's Veterans Day.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

[15-2-135]

SECTION 1. Tennessee Code Annotated, Title 15, Chapter 2, is amended
by adding the following as a new section:

June 12 of each year is to be observed as "Women's Veterans Day,"
to honor the efforts of our distinguished female veterans and pay
tribute to their character and courage in answering the call of action
with pride and conviction.

[Effective date 3/23/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare
requiring it.

PUBLIC CHAPTER NO. 36**SENATE BILL NO. 744****By Johnson, Haile**

Substituted for: House Bill No. 75

By Lamberth, Gant, Calfee, Todd, Hazlewood

AN ACT to amend Tennessee Code Annotated, Section 12-2-117, relative to the sale of public property.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[12-2-117]

SECTION 1. Tennessee Code Annotated, Section 12-2-117(b)(2), is amended by deleting the language “facilities as well as for the transition of patients from an institutional setting into community programs” and substituting instead the language “facilities, the transition of patients from an institutional setting into community programs, or capital maintenance of property controlled by the department of mental health and substance abuse services”.

[12-2-117]

SECTION 2. Tennessee Code Annotated, Section 12-2-117(e)(3), is amended by adding the language “capital maintenance of property controlled by the department of intellectual and developmental disabilities and used for the provision of direct services, program and service pilot projects, or initiatives of the department of intellectual and developmental disabilities,” immediately after the language “individuals and agencies,”.

[Effective date 7/1/2021]

SECTION 3. This act shall take effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 37**SENATE BILL NO. 1123****By White**

Substituted for: House Bill No. 1055

By Terry

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29, Part 1, relative to state agencies.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-124]

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 29, Part 1, is amended by adding the following as a new section:

A board, commission, council, committee, authority, task force, or other similar multi-member governmental entity created by statute and subject to review under this chapter shall not promulgate rules, adopt policies or guidelines, or issue statements that exempt a member of the entity from the requirements of such rules, policies, guidelines, or statements solely by virtue of their status as a member of the entity.

[Effective date 3/23/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 38

SENATE BILL NO. 1583

By Mr. Speaker McNally, Bailey, Yager, Akbari, Bell, Bowling, Briggs, Campbell, Crowe, Gardenhire, Gilmore, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Walley, Watson, White, Yarbrow

Substituted for: House Bill No. 1054

By Mr. Speaker Cameron Sexton, Sherrell, White, Cooper, Jerry Sexton, Hazlewood

AN ACT to amend Tennessee Code Annotated, Title 11, relative to the Cumberland Trail State Park.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[11-3-116]

SECTION 1. Tennessee Code Annotated, Title 11, Chapter 3, Part 1, is amended by adding the following as a new, appropriately designated section:

The Cumberland Trail State Park, established on June 22, 1998, is known as the Justin P. Wilson Cumberland Trail State Park.

[Effective date 3/23/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 39**HOUSE BILL NO. 407****By Representatives Helton, Moon**

Substituted for: Senate Bill No. 682

By Senator Kelsey

AN ACT to amend Tennessee Code Annotated, Title 13, Chapter 3; Title 13, Chapter 4 and Title 66, relative to subdivision regulations.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[13-3-410]

SECTION 1. Tennessee Code Annotated, Section 13-3-410(a)(1)(A), is amended by deleting the language “, sell, agree to sell, or negotiate to sell” and substituting instead the language “or close the sale of”.

[13-3-410]

SECTION 2. Tennessee Code Annotated, Section 13-3-410(a)(2), is amended by deleting the language “sale or”.

[13-3-410]

SECTION 3. Tennessee Code Annotated, Section 13-3-410(b), is amended by deleting the language “sell, transfer, or agree to sell” and substituting instead the language “close the sale of or transfer”.

[13-4-306]

SECTION 4. Tennessee Code Annotated, Section 13-4-306(a)(1)(A), is amended by deleting the language “, sell, agree to sell, or negotiate to sell” and substituting instead the language “or close the sale of”.

[13-4-306]

SECTION 5. Tennessee Code Annotated, Section 13-4-306(a)(2), is amended by deleting the language “sale or”.

[13-4-306]

SECTION 6. Tennessee Code Annotated, Section 13-4-306(b), is amended by deleting the language “sell, transfer, or agree to sell” and substituting instead the language “close the sale of or transfer”.

[Effective date 3/23/2021]

SECTION 7. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 40**SENATE BILL NO. 228**

**By Hensley, Bailey, Bell, Jackson, Niceley, Pody, Rose, Stevens,
White**

Substituted for: House Bill No. 3

By Cepicky, Griffey, Gant, Weaver, Moody, Haston, Lamberth, Rudd, Smith, Ragan, Zachary, Doggett, Eldridge, Jerry Sexton, Reedy, Howell, Williams, Casada, Todd, Calfee, Bricken, Moon, Crawford, Hulsey, Darby, Tim Hicks, Garrett, Helton, Lynn, Hawk, Travis, White, Russell, Rudder, Grills, Cochran, Terry, Warner, Littleton, Powers, Sherrell, Faison, Sparks, Hurt

AN ACT to amend Tennessee Code Annotated, Title 49, relative to school sports.

WHEREAS, girls who compete in interscholastic athletic activities strive to improve their performance in their particular field of competition in order to experience the personal satisfaction of victory, gain opportunities to participate in state and regional events, gain access to opportunities to be recruited and offered athletic scholarships by colleges, and more; and

WHEREAS, it is unfortunate for some girls that those dreams, goals, and opportunities for participation, recruitment, and scholarships can be directly and negatively affected by new school policies permitting boys who are male in every biological respect to compete in girls' athletic competitions if they claim a female gender identity; and

WHEREAS, allowing boys to compete in girls' athletic competitions discriminates against girls by regularly resulting in boys displacing girls in competitive events and excluding specific and identifiable girls from opportunities to compete at higher levels and from public recognition critical to college recruiting and scholarship opportunities that should go to those outstanding female athletes; and

WHEREAS, studies show that boys, on average, can be physically stronger than girls, having more skeletal muscle mass than girls and more upper-body and lower-body strength, which can result in injury to girls if girls participate in contact sports with boys; and

WHEREAS, interscholastic athletic programs in public schools should be conducted in a safe manner to promote continued participation and equitable opportunities for all children, consistent with the rules and guidelines of an association that regulates interscholastic athletics; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[49-6-310]

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 3, is amended by adding the following new section:

(a) A student's gender for purposes of participation in a public middle school or high school interscholastic athletic activity or event must be determined by the student's sex at the time of the student's birth, as indicated on the student's original birth certificate. If a birth certificate provided by a student pursuant to this subsection (a) does not appear to be the student's original birth certificate or does not indicate the student's sex upon birth, then the student must provide other evidence indicating the student's sex at the time of birth. The student or the student's parent or guardian must pay any costs associated with providing the evidence required under this subsection (a).

(b) The state board of education, each local board of education, and each governing body of a public charter school shall adopt and enforce policies to ensure compliance with subsection (a) in the public schools governed by the respective entity.

(c) As used in this section:

(1) "High school" means a school in which any combination of grades nine through twelve (9-12) are taught; and

(2) "Middle school" means a school in which any combination of grades five through eight (5-8) are taught.

(d) This section does not apply to students in any grade kindergarten through four (K- 4).

[Effective date 3/26/2021]

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to the 2021-2022 school year and each school year thereafter.

PUBLIC CHAPTER NO. 41**SENATE BILL NO. 30****By Roberts**

Substituted for: House Bill No. 256

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 50, Chapter 6, relative to the advisory council on workers' compensation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (1).

[4-29-246; 50-6-121]

SECTION 2. Tennessee Code Annotated, Section 4-29-246(a), is amended by inserting the following as a new subdivision:

() Advisory council on workers' compensation, created by § 50-6-121;

[Effective date 3/29/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 42**SENATE BILL NO. 49****By Roberts, Rose**

Substituted for: House Bill No. 274

By Ragan, Crawford

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 4, Chapter 3, relative to the department of economic and community development.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (20).

[4-29-246; 4-3-101; 4-3-701]

SECTION 2. Tennessee Code Annotated, Section 4-29-246(a), is amended by inserting the following as a new subdivision:

() Department of economic and community development, created by §§ 4-3-101 and 4-3-701;

[Effective date 3/29/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 43

SENATE BILL NO. 50

By Roberts

Substituted for: House Bill No. 275

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 4, Chapter 3, relative to the department of financial institutions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (21).

[4-29-246; 4-3-101; 4-3-401]

SECTION 2. Tennessee Code Annotated, Section 4-29-246(a), is amended by inserting the following as a new subdivision:

() Department of financial institutions, created by §§ 4-3-101 and 4-3-401;

[Effective date 3/29/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 44**SENATE BILL NO. 83****By Roberts, Crowe**

Substituted for: House Bill No. 303

By Ragan, Crawford

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 38, Chapter 6, relative to the Tennessee bureau of investigation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (56).

[4-29-246; 38-6-101]

SECTION 2. Tennessee Code Annotated, Section 4-29-246(a), is amended by inserting the following as a new subdivision:

() Tennessee bureau of investigation, created by § 38-6-101;

[Effective date 3/29/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 45

SENATE BILL NO. 84

By Roberts

Substituted for: House Bill No. 304

By Ragan, Crawford

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 49, Chapter 11, relative to the Tennessee council for career and technical education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (57).

[4-29-247; 49-11-201]

SECTION 2. Tennessee Code Annotated, Section 4-29-247(a), is amended by inserting the following as a new subdivision:

 () Tennessee council for career and technical education, created by § 49-11-201;

[Effective date 3/29/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 46**SENATE BILL NO. 85****By Roberts, Reeves**

Substituted for: House Bill No. 305

By Ragan, Crawford

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 4, Chapter 3, Part 27, relative to the Tennessee council on autism spectrum disorder.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (58).

[4-29-247; 4-3-2711]

SECTION 2. Tennessee Code Annotated, Section 4-29-247(a), is amended by inserting the following as a new subdivision:

() Tennessee council on autism spectrum disorder, created by § 4-3-2711;

[Effective date 3/29/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 47**SENATE BILL NO. 86****By Roberts, Crowe, Pody**

Substituted for: House Bill No. 306

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 44, Chapter 19, relative to the Tennessee dairy promotion committee.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (59).

[4-29-250; 44-19-114]

SECTION 2. Tennessee Code Annotated, Title 4, Chapter 29, Part 2, is amended by adding the following as a new section:

4-29-250.

(a) The following governmental entities terminate on June 30, 2029:

(i) Tennessee dairy promotion committee, created by § 44-19-114;

(b) Each department, commission, board, agency, or council of state government created during calendar year 2027 terminates on June 30, 2029.

(c) Any governmental entity that has been terminated under this section may be continued, reestablished, or restructured in accordance with this chapter.

[Effective date 3/29/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 48**SENATE BILL NO. 87****By Roberts**

Substituted for: House Bill No. 307

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 49, Chapter 6, Part 17, relative to the Tennessee financial literacy commission.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (60).

[4-29-248; 49-6-1702]

SECTION 2. Tennessee Code Annotated, Section 4-29-248(a), is amended by inserting the following as a new subdivision:

() Tennessee financial literacy commission, created by § 49-6-1702;

[Effective date 3/29/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 49

SENATE BILL NO. 88

By Roberts

Substituted for: House Bill No. 308

By Ragan, White

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 49, Chapter 13, relative to the Tennessee public school charter commission.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (61).

[4-29-244; 49-13-105]

SECTION 2. Tennessee Code Annotated, Section 4-29-244(a), is amended by inserting the following as a new subdivision:

() Tennessee public charter school commission, as created by § 49-13-105;

[Effective date 3/29/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 50**SENATE BILL NO. 89****By Roberts**

Substituted for: House Bill No. 309

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 65, Chapter 1, relative to the Tennessee public utility commission.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (62).

[4-29-248; 65-1-101]

SECTION 2. Tennessee Code Annotated, Section 4-29-248(a), is amended by inserting the following as a new subdivision:

() Tennessee public utility commission, created by § 65-1-101;

[Effective date 3/29/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 51**SENATE BILL NO. 90****By Roberts, Lundberg**

Substituted for: House Bill No. 310

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 43, Chapter 20, relative to the Tennessee soybean promotion board.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (63).

[4-29-250; 43-20-102]

SECTION 2. Tennessee Code Annotated, Title 4, Chapter 29, Part 2, is amended by adding the following as a new section:

4-29-250.

(a) The following governmental entities terminate on June 30, 2029:

() Tennessee soybean promotion board, created by § 43-20-102;

(b) Each department, commission, board, agency, or council of state government created during calendar year 2027 terminates on June 30, 2029.

(c) Any governmental entity that has been terminated under this section may be continued, reestablished, or restructured in accordance with this chapter.

[Effective date 3/29/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 52**SENATE BILL NO. 93****By Roberts**

Substituted for: House Bill No. 313

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 14, Part 3 and Title 4, Chapter 29, relative to the Tennessee technology development corporation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (66).

[4-29-246; 4-14-301]

SECTION 2. Tennessee Code Annotated, Section 4-29-246(a), is amended by inserting the following as a new subdivision:

() Tennessee technology development corporation, created by § 4-14-301;

[Effective date 3/29/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 53

SENATE BILL NO. 94

By Roberts

Substituted for: House Bill No. 314

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 57, Chapter 3, Part 11, relative to the Tennessee wine and grape board.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (67).

[4-29-246; 57-3-1101]

SECTION 2. Tennessee Code Annotated, Section 4-29-246(a), is amended by inserting the following as a new subdivision:

() Tennessee wine and grape board, created by § 57-3-1101;

[Effective date 3/29/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 54**SENATE BILL NO. 96****By Roberts**

Substituted for: House Bill No. 316

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 13, Chapter 26, relative to the Upper Cumberland human resource agency.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (69).

[4-29-247; 13-26-102]

SECTION 2. Tennessee Code Annotated, Section 4-29-247(a), is amended by inserting the following as a new subdivision:

() Upper Cumberland human resource agency, created by § 13-26-102;

[Effective date 3/29/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 55**SENATE BILL NO. 110****By Powers, Gilmore, Stevens, Yager, Yarbrow**

Substituted for: House Bill No. 40

By Ogles, Howell, Hurt

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 21 and Title 55, Chapter 4, relative to the Tennessee Vehicle Title and Registration System (VTRS) database.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[T. 55, ch. 21, Part 3; undefined]

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 21, is amended by adding the following as a new section:

(a) This section is known and may be cited as the “2021 Precious Cargo Act.”

(b) The purpose of this section is to empower citizens to communicate specific needs to law enforcement and first responders.

(c) At the time of initial application for the registration of a motor vehicle under this part, or upon renewal, an owner or lessee of a motor vehicle who needs assistance with expressive language or communicating needs to a first responder, including a law enforcement officer, or assistance with exiting a motor vehicle during a traffic stop or welfare check, may request that the department include a designation of such need for assistance in the Tennessee Vehicle Title and Registration System (VTRS) database. The registrant’s request must be accompanied by a written statement from a licensed physician, psychiatrist, psychologist or senior psychological examiner, or neurologist, stating that an operator of the person’s motor vehicle has an intellectual disability, a developmental disability, or a medical condition that may impede communications with, or impact the operator’s encounter with, a first responder. Upon receipt of such a request accompanied by a written statement, the department shall cause the registrant’s status to be entered into the VTRS database, and ensure such designation is associated with the applicant’s motor vehicle and registration.

(d) Information submitted to the department under this section must be supplied to law enforcement to assist in identifying the operator of the vehicle as possibly needing such assistance. Information collected pursuant to this section must only be available to law enforcement for the purpose of ensuring safe and efficient interactions between law enforcement and persons who have such need for assistance, and must not be used for any other purpose.

PUBLIC CHAPTER NO. 55 (cont'd)

(e) All law enforcement officers charged with the enforcement of this title and emergency call takers and public safety dispatchers, as described in § 7-86-205, shall receive instruction in the identification of such designation included in the VTRS database as provided for in this section.

(f) The commissioner is authorized to adopt policies and procedures as necessary to effectuate the purposes of this section.

(g) The commissioner of revenue is authorized to promulgate rules in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, necessary to carry out this section.

[Effective date 1/1/2022]

SECTION 2. This act takes effect January 1, 2022, the public welfare requiring it.

PUBLIC CHAPTER NO. 56**SENATE BILL NO. 154****By Briggs**

Substituted for: House Bill No. 101

By Jernigan, Whitson, Hazlewood

AN ACT to amend Tennessee Code Annotated, Title 55, relative to motor vehicles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[55-8-101]

SECTION 1. Tennessee Code Annotated, Section 55-8-101(41), is amended by deleting the subdivision and substituting instead the following:

(41) "Motor vehicle":

(A) Means every vehicle that is self-propelled;

(B) Includes low-speed vehicles and medium-speed vehicles;

and

(C) Does not include:

(i) Electric scooters;

(ii) Electric bicycles, as defined in § 55-8-301;

(iii) Motorized bicycles;

(iv) Personal delivery devices;

(v) Motorized wheelchairs; or

(vi) Any vehicle, including a low-speed vehicle or a medium-speed vehicle, that is propelled by electric power obtained from overhead trolley wires but not operated upon rails;

[Effective date 3/29/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 57**SENATE BILL NO. 235****By Hensley**

Substituted for: House Bill No. 5

By Cepicky, Warner, Griffey

AN ACT to amend Tennessee Code Annotated, Title 49, relative to education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[49-6-311]

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 3, is amended by adding the following as a new section:

The instruction provided to a student who is identified for intervention through the response to instruction and intervention (RTI2) framework developed by the department of education must be determined by the student's LEA, based on the individual student's needs. This section does not prohibit the department from using universal screeners or other assessments to measure student performance throughout the school year or at designated benchmarks.

[Effective date 3/29/2021]

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to the 2021-2022 school year and each school year thereafter.

PUBLIC CHAPTER NO. 58**SENATE BILL NO. 243****By Crowe**

Substituted for: House Bill No. 355

By Holsclaw, Crawford

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 1, Part 3 and Title 4, Chapter 1, Part 4, relative to Tennessee's first peoples.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-1-421]

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 1, Part 4, is amended by adding the following as a new section:

The following cultural groups are recognized as Tennessee's first peoples:

- (1) The Algonquian peoples, including the Shawnee and Lenape;
 - (2) The Chickamaugan peoples;
 - (3) The Iroquoian peoples, including the Cherokee;
 - (4) The Muskogean peoples, including the Alabama, Coosa, Chickasaw, Natchez, Koasati, Tuskegee, and Taliwa;
 - (5) The Siouan peoples, including the Quapaw and Mosopelea;
- and
- (6) The Yuchean peoples, including the Chisca, Yuchi, Taougale, Tongeria, and Tamahita.

[Effective date 3/29/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 59**SENATE BILL NO. 293****By Briggs**

Substituted for: House Bill No. 377

By Ramsey

AN ACT to amend Tennessee Code Annotated, Section 57-3-204, relative to residency requirements.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[57-3-204]

SECTION 1. Tennessee Code Annotated, Section 57-3-204(b)(2)(A), is amended by deleting the subdivision.

[57-3-204]

SECTION 2. Tennessee Code Annotated, Section 57-3-204(b)(2)(K), is amended by deleting the language “citizenship, residence requirements or age” and substituting instead the language “citizenship or age”.

[57-3-204]

SECTION 3. Tennessee Code Annotated, Section 57-3-204(b)(3), is amended by deleting the subdivision and substituting instead the following:

(b)(3) The commission may issue a retail license to a corporation; provided, that no such license may be issued to, transferred to, or maintained by a corporation if:

(A) An officer, director, or stockholder owning capital stock in the corporation would be ineligible to receive a retailer’s license for a reason specified in subdivision (b)(2), if application for such retail license had been made by the officer, director, or stockholder in their individual capacity; or

(B) A person owning stock in such corporation has an interest as partner or otherwise, either direct or indirect, in a business licensed to engage in the distribution of liquor, spirits, wine, or high alcohol content beer in this state.

[57-3-204]

SECTION 4. Tennessee Code Annotated, Section 57-3-204(b)(4), is amended by deleting the subdivision.

[57-3-204]

SECTION 5. Tennessee Code Annotated, Section 57-3-204(d)(5), is amended by deleting the subdivision.

PUBLIC CHAPTER NO. 59 (cont'd)**[Effective date 3/29/2021]**

SECTION 6. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 60

SENATE BILL NO. 621

By Bell, Bailey, Pody, Akbari, Massey, Rose, Walley

Substituted for: House Bill No. 434

By Lamberth, Halford, Powers, Littleton, Carter, Weaver, White, Reedy, Marsh, Holsclaw, Crawford, Carr, Hawk, Gillespie, Harris, Keisling, Jernigan, Ogles, Parkinson, Farmer, Curcio, Garrett, Eldridge, Smith, Ramsey, Garringer, Griffey, Jerry Sexton, Sparks, Whitson, Howell, Cochran, Hulsey, Sherrell, Russell, Wright, Warner, Tim Hicks, Terry, Haston, Doggett, Faison, Hall, Beck, Towns, Moon, Grills, Dixie, Gary Hicks, Calfee, Hodges, Hardaway, Rudder, Hazlewood, Todd, Helton, Moody, Cepicky, Hurt, Mannis, Boyd, Williams, Freeman

AN ACT to amend Tennessee Code Annotated, Title 16, Chapter 15, Part 9; Title 36 and Title 39, Chapter 13, relative to orders of protection.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 36-3-609(b), is amended by designating the existing language as subdivision (1) and adding the following as a new subdivision:

(2) Notwithstanding § 16-15-902, an ex parte order of protection may be served within one (1) year of issuance.

[4-29-247; 63-14-101]

SECTION 2. Tennessee Code Annotated, Title 36, Chapter 3, Part 6, is amended by adding the following as a new section:

(a)(1) Notwithstanding § 36-3-608, a victim of a felony offense under title 39, chapter 13, part 1, 2, 3, or 5 may file a petition for a lifetime order of protection against the offender who was convicted of the offense.

(2) As used in this section, "victim" has the meaning given in § 40-38-203.

(b) A petition filed by an unemancipated person under eighteen (18) years of age must be signed by one (1) of that person's parents or by that person's guardian. The petition may also be signed by a caseworker at a not-for-profit organization that receives funds pursuant to title 71, chapter 6, part 2 for family violence and child abuse prevention and shelters; provided, however, that a petition signed by a caseworker may not be filed against the unemancipated minor's parent or legal guardian. In such case, unless the court finds that the action would create a threat of serious harm to the minor, a copy of the petition and notice of hearing shall also be served on the parents of the minor child, or if the parents are not living together and jointly caring for the

PUBLIC CHAPTER NO. 60 (cont'd)

child, upon the primary residential parent. In cases before the juvenile court where the department of children's services is a party or where a guardian ad litem has been appointed for the child by the juvenile court, the petition may be filed by the department or the guardian ad litem.

(c) Venue for a petition for an order of protection under this section, and all other matters relating to orders of protection, is in the county where the respondent resides or the county in which the offense occurred. If the respondent is not a resident of this state, the petition may be filed in the county where the petitioner resides.

(d) The court shall cause a copy of the petition and notice of the date set for the hearing on such petition to be served upon the respondent at least five (5) days prior to the hearing. The notice must advise the respondent that the respondent may be represented by counsel. In every case, unless the court finds that the action would create a threat of serious harm to the minor, when a petitioner is under eighteen (18) years of age, a copy of the petition, and notice of hearing must also be served on the parents of the minor child, or in the event that the parents are not living together and jointly caring for the child, upon the primary residential parent, pursuant to the requirements of this section.

(e) At the hearing on the petition, the court shall, if the petitioner has proved the respondent was convicted of an offense listed in subsection (a) and that the petitioner was the victim of the offense, issue a lifetime order of protection that remains in effect until the death of the petitioner or the respondent. If the petitioner has not provided proof that respondent was convicted of such an offense and that the petitioner was the victim of the offense, the court shall dismiss the petition.

(f) An order of protection granted under this section must:

(1) Prohibit the respondent from coming about the petitioner for any purpose, from telephoning, contacting, or otherwise communicating with the petitioner, directly or indirectly;

(2) Include a statement of the maximum penalty that may be imposed pursuant to § 36-3-610 for violating such order; and

(3) Be valid and enforceable in any county of this state.

(g) A lifetime order of protection is effective and must be served as provided in § 36-3-609.

(h)(1) Upon violation of a lifetime order of protection, the court may hold the defendant in civil or criminal contempt and, following a contempt hearing as provided in § 36-3-612, punish the defendant in accordance with the law. A judge of the general sessions court has the same power as a court of record to punish the defendant for contempt when exercising jurisdiction pursuant to this part or when exercising concurrent jurisdiction with a court of record. A judge of the general

PUBLIC CHAPTER NO. 60 (cont'd)

sessions court who is not a licensed attorney shall appoint an attorney referee to hear charges of criminal contempt.

(2) In addition to the authorized punishments for contempt of court, the judge may assess any person who violates a lifetime order of protection a civil penalty of fifty dollars (\$50.00). The judge may further order that any support payment made pursuant to an order of protection or a court-approved consent agreement be made under an income assignment to the clerk of court. Upon collecting the civil penalty imposed by this subdivision (h)(2), the clerk shall, on a monthly basis, send the money to the state treasurer who shall deposit it in the domestic violence community education fund created by § 36-3-616.

(i) An arrest for violation of a lifetime order of protection issued pursuant to this section may be with or without warrant. A law enforcement officer shall arrest the respondent without a warrant if:

(1) The officer has proper jurisdiction over the area in which the violation occurred;

(2) The officer has reasonable cause to believe the respondent has violated or is in violation of a lifetime order for protection; and

(3) The officer has verified whether a lifetime order of protection is in effect against the respondent. If necessary, the officer may verify the existence of a lifetime order for protection by telephone or radio communication with the appropriate law enforcement agency.

[Effective date 3/23/2021]

SECTION 3. Tennessee Code Annotated, Section 36-3-617, is amended by deleting the language “domestic abuse victim, stalking victim or sexual assault victim” wherever it appears and substituting instead the language “domestic abuse victim, stalking victim, sexual assault victim, or victim of a felony offense under title 39, chapter 13, part 1, 2, 3, or 5”.

[36-3-617]

SECTION 4. Tennessee Code Annotated, Section 36-3-617(a)(2)(B), is amended by deleting the language “domestic abuse, stalking, or sexual assault” and substituting instead “domestic abuse, stalking, sexual assault, or felony offense under title 39, chapter 13, part 1, 2, 3, or 5”.

[39-13-113]

SECTION 5. Tennessee Code Annotated, Section 39-13-113(f)(3), is amended by deleting the subdivision and substituting:

(3) The court made specific findings of fact in the order of protection or restraining order that the person committed domestic abuse, sexual assault, or stalking as defined in § 36-3-601 or was convicted of a felony offense under chapter 13, part 1, 2, 3, or 5 of this title.

PUBLIC CHAPTER NO. 60 (cont'd)**[Effective date 7/1/2021]**

SECTION 6. This act takes effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 61**SENATE BILL NO. 724****By Johnson, Bowling**

Substituted for: House Bill No. 64

By Lamberth, Gant, Lafferty, Crawford

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 18, relative to automobile clubs and associations.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[55-18-105]

SECTION 1. Tennessee Code Annotated, Section 55-18-105(a), is amended by deleting the subsection and substituting instead the following:

(a) Every automobile club or association organized or operating in this state shall file with the commissioner an application for a certificate of authority prior to the commencement of its operations. No certificate of authority shall be issued until the automobile club or association has paid to the commissioner one hundred seventy-five dollars (\$175) as an initial license fee. Licenses shall be issued for the period beginning July 1 of each year and expire on the following June 30.

[55-18-105]

SECTION 2. Tennessee Code Annotated, Section 55-18-105(b), is amended by adding the following as a new subdivision (1) and renumbering existing subdivision (1) and the remaining subdivisions accordingly:

(1) An application for certificate of authority in a form prescribed by the commissioner;

[55-18-105]

SECTION 3. Tennessee Code Annotated, Section 55-18-105, is amended by adding the following as a new subsection (d):

(d) Licenses expire on June 30 of each year unless the automobile club or association has filed with the commissioner an application of renewal and paid a renewal fee of one hundred seventy-five dollars (\$175). If any of the documents or information required by subsection (b) have changed since previously filed, the automobile club or association shall file the updated documents or information with its renewal application to the commissioner.

[Effective date 3/29/2021]

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 62**SENATE BILL NO. 753****By Johnson, Massey**

Substituted for: House Bill No. 81

By Lamberth, Gant, Rudder, Smith, Helton, Hazlewood

AN ACT to amend Tennessee Code Annotated, Section 33-2-203; Section 33-2-901; Section 33-4-109 and Section 63-1-155, relative to mental health and substance abuse services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[33-2-901]

SECTION 1. Tennessee Code Annotated, Section 33-2-901(b)(3), is amended by adding the following sentence at the end of the subdivision:

For purposes of this subdivision (b)(3), "state official" means an individual elected to a state legislative, executive, or judicial office or an employee of the department.

[33-4-109]

SECTION 2. Tennessee Code Annotated, Section 33-4-109(a), is amended by deleting the subsection and substituting the following:

(a)(1) Upon the death of a person admitted to a facility, the chief officer of the facility shall mail written notice of death to the next of kin, if known, and notify the office of the medical examiner having jurisdiction to investigate the death.

(2) Upon the death of a person admitted to a facility under chapter 7 of this title, the chief officer of the facility shall mail written notice of death to the court that entered the order resulting in the admission, mail written notice of death to the next of kin, if known, and notify the office of the medical examiner having jurisdiction to investigate the death.

(3) A chief officer of a facility that is required by this subsection (a) to make a notice to the medical examiner having jurisdiction to investigate a death shall make such notice as soon as reasonably practicable, but in no event more than twelve (12) hours after the discovery of the death. A chief officer of a facility shall mail the other notices required by this subsection (a) within ten (10) days of the discovery of the death.

[33-4-109]

SECTION 3. Tennessee Code Annotated, Section 33-4-109(b), is amended by deleting the language "next of kin and".

PUBLIC CHAPTER NO. 62 (cont'd)**[33-2-203]**

SECTION 4. Tennessee Code Annotated, Section 33-2-203, is amended by designating the existing language as subsection (a) and adding the following as a new subsection (b):

(b) Notwithstanding subsection (a), the regional citizen-based planning and policy councils established by the department of mental health and substance abuse services shall strive to ensure that at least a majority of each council's membership consists of current or former service recipients and members of service recipient families.

[63-1-155]

SECTION 5. Tennessee Code Annotated, Section 63-1-155(9)(1), is amended by deleting the subdivision and substituting the following:

(1) Except as provided in subdivision (g)(2), to practice under this section a healthcare provider must be licensed to practice in this state.

[Effective date 3/29/2021]

SECTION 6. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 63

SENATE BILL NO. 763

By Johnson, Briggs, Powers

Substituted for: House Bill No. 769

By Lamberth, Gant, Ragan, Griffey, Crawford

AN ACT to amend Tennessee Code Annotated, Title 58, Chapter 3, relative to state service officers appointed to assist veterans.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[58-3-106]

SECTION 1. Tennessee Code Annotated, Section 58-3-106(a), is amended by deleting the language “of some war in which the United States was a participant”.

[Effective date 3/29/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 64**SENATE BILL NO. 785****By Walley**

Substituted for: House Bill No. 1052

By Mr. Speaker Cameron Sexton, Curtis Johnson

AN ACT to amend Tennessee Code Annotated, relative to legislative committees.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[1-1-108]

SECTION 1. Tennessee Code Annotated, Section 1-1-108(a), is amended by deleting “judiciary committee of the house of representatives” and substituting “civil justice committee of the house of representatives”.

[3-5-101]

SECTION 2. Tennessee Code Annotated, Section 3-5-101(c)(9), is amended by deleting “house of representatives judiciary committee” and substituting “criminal justice committee of the house of representatives”.

[4-3-1013]

SECTION 3. Tennessee Code Annotated, Section 4-3-1013(f), is amended by deleting “committee of the house of representatives having oversight over TennCare” and substituting “health committee of the house of representatives”.

[4-51-109]

SECTION 4. Tennessee Code Annotated, Section 4-51-109(a)(8), is amended by deleting “education committee of the house of representatives” and substituting “education administration committee of the house of representatives”.

[4-51-111]

SECTION 5. Tennessee Code Annotated, Section 4-51-111, is amended by deleting “education committee of the house of representatives” and substituting “education administration committee of the house of representatives” in subdivisions (b)(3)(E), (c)(2)(A)(i), and (c)(3)(D).

[8-7-315]

SECTION 6. Tennessee Code Annotated, Section 8-7-315, is amended by deleting “judiciary committee of the house of representatives” and substituting “criminal justice committee of the house of representatives”.

PUBLIC CHAPTER NO. 64 (cont'd)**[8-14-104]**

SECTION 7. Tennessee Code Annotated, Section 8-14-104(d), is amended by deleting “judiciary committee of the house of representatives” and substituting “criminal justice committee of the house of representatives”.

[8-14-308]

SECTION 8. Tennessee Code Annotated, Section 8-14-308, is amended by deleting “judiciary committee of the house of representatives” and substituting “criminal justice committee of the house of representatives”.

[8-36-714]

SECTION 9. Tennessee Code Annotated, Section 8-36-714(c), is amended by deleting “education and finance, ways and means of the house of representatives” and substituting “education administration and finance, ways and means of the house of representatives”.

[9-4-213]

SECTION 10. Tennessee Code Annotated, Section 9-4-213(a)(8), is amended by deleting “chairs of the judiciary and health and welfare committees of the senate, the chair of the health committee of the house of representatives, and the chair of the committee of the house of representatives having oversight over children and families” and substituting “chairs of the judiciary committee of the senate, civil justice committee of the house of representatives, health and welfare committee of the senate, and health committee of the house of representatives”.

[16-1-117]

SECTION 11. Tennessee Code Annotated, Section 16-1-117, is amended by deleting “judiciary committee of the house of representatives” in subdivisions (a)(5) and (a)(6)(D) and substituting “civil justice committee of the house of representatives”.

[16-1-119]

SECTION 12. Tennessee Code Annotated, Section 16-1-119(a)(3), is amended by deleting “judiciary committee of the house of representatives” and substituting “civil justice committee of the house of representatives”.

[16-3-803]

SECTION 13. Tennessee Code Annotated, Section 16-3-803, is amended by deleting “judiciary committee of the house of representatives” in subdivision (l)(1) and subsection (m) and substituting “civil justice committee of the house of representatives”.

PUBLIC CHAPTER NO. 64 (cont'd)**[16-18-311]**

SECTION 14. Tennessee Code Annotated, Section 16-18-311, is amended by deleting “judiciary committee of the house of representatives” in subdivision (a)(8)(A) and subsection (b) and substituting “civil justice committee of the house of representatives”.

[16-21-111]

SECTION 15. Tennessee Code Annotated, Section 16-21-111(c), is amended by deleting “judiciary committee of the house of representatives” and substituting “civil justice committee of the house of representatives”.

[17-1-107]

SECTION 16. Tennessee Code Annotated, Section 17-1-107, is amended by deleting “judiciary committee of the house of representatives” and substituting “civil justice committee of the house of representatives”.

[17-2-309]

SECTION 17. Tennessee Code Annotated, Section 17-2-309(a), is amended by deleting “judiciary and finance, ways and means committees of the house of representatives” and substituting “civil justice and finance, ways and means committees of the house of representatives”.

[17-5-202]

SECTION 18. Tennessee Code Annotated, Section 17-5-202, is amended by deleting “judiciary committee of the house of representatives” in subdivision (a)(1) and subsection (b) and substituting “civil justice and criminal justice committees of the house of representatives”.

[29-3-110]

SECTION 19. Tennessee Code Annotated, Section 29-3-110(e), is amended by deleting “judiciary committee of the house of representatives” and substituting “civil justice committee of the house of representatives”.

[29-20-408]

SECTION 20. Tennessee Code Annotated, Section 29-20-408(a)(6), is amended by deleting “judiciary, state government” and substituting “civil justice, state government”.

[36-5-101]

SECTION 21. Tennessee Code Annotated, Section 36-5-101(e)(3), is amended by deleting “judiciary committee of the house of representatives” and substituting “civil justice committee of the house of representatives”.

[36-5-112]

SECTION 22. Tennessee Code Annotated, Section 36-5-112(d), is amended by deleting “committee of the house of representatives having oversight over children and families” and substituting “civil justice committee of the house of representatives”.

[36-5-114]

SECTION 23. Tennessee Code Annotated, Section 36-5-114(a)(2)(B), is amended by deleting “judiciary committee of the house of representatives” and substituting “civil justice committee of the house of representatives”.

[37-1-182]

SECTION 24. Tennessee Code Annotated, Section 37-1-182(a)(2)(F), is amended by deleting “committee of the house of representatives having jurisdiction over children and families” and substituting “civil justice committee of the house of representatives”.

[37-1-406]

SECTION 25. Tennessee Code Annotated, Section 37-1-406(m)(2), is amended by deleting “committee of the house of representatives having oversight over children and families” and substituting “civil justice committee of the house of representatives”.

[37-1-607]

SECTION 26. Tennessee Code Annotated, Section 37-1-607, is amended by deleting “committee of the house of representatives having oversight over children and families” in subdivisions (a)(1)(A) and (B) and substituting “civil justice committee of the house of representatives”.

[37-1-903]

SECTION 27. Tennessee Code Annotated, Section 37-1-903(c)(2), is amended by deleting “judiciary committees of the house of representatives and the senate” and substituting “civil justice committee of the house of representatives and the judiciary committee of the senate”.

[37-2-205]

SECTION 28. Tennessee Code Annotated, Section 37-2-205(f)(3), is amended by deleting “committee of the house of representatives having oversight over children and families” and substituting “civil justice committee of the house of representatives”.

[37-2-601]

SECTION 29. Tennessee Code Annotated, Section 37-2-601(a)(2), is amended by deleting “committee of the house of representatives having

PUBLIC CHAPTER NO. 64 (cont'd)

oversight over children and families” and substituting “civil justice committee of the house of representatives”.

[37-3-115]

SECTION 30. Tennessee Code Annotated, Section 37-3-115(c), is amended by deleting “judiciary, education, and health committees of the house of representatives” and substituting “civil justice, education, and health committees of the house of representatives”.

[37-3-116]

SECTION 31. Tennessee Code Annotated, Section 37-3-116(d), is amended by deleting “the education and health committees of the house of representatives, and the committee of the house of representatives having oversight over children and families” and substituting “and the civil justice, education, and health committees of the house of representatives”.

[37-3-803]

SECTION 32. Tennessee Code Annotated, Section 37-3-803(d)(2), is amended by deleting “judiciary committee of the house of representatives” and substituting “civil justice committee of the house of representatives”.

[37-5-105]

SECTION 33. Tennessee Code Annotated, Section 37-5-105(15), is amended by deleting “committee of the house of representatives having oversight over children and families” and substituting “civil justice committee of the house of representatives”.

[37-5-124]

SECTION 34. Tennessee Code Annotated, Section 37-5-124(a), is amended by deleting “and to the committee of the house of representatives having oversight over children and families”.

[37-5-125]

SECTION 35. Tennessee Code Annotated, Section 37-5-125(c), is amended by deleting “committee of the house of representatives having oversight over children and families” and substituting “civil justice committee of the house of representatives”.

[37-5-128]

SECTION 36. Tennessee Code Annotated, Section 37-5-128, is amended by deleting “judiciary committee of the house of representatives” and substituting “civil justice committee of the house of representatives”.

PUBLIC CHAPTER NO. 64 (cont'd)**[37-5-129]**

SECTION 37. Tennessee Code Annotated, Section 37-5-129, is amended by deleting “committee of the house of representatives having oversight over children and families” and substituting “civil justice committee of the house of representatives”.

[37-5-603]

SECTION 38. Tennessee Code Annotated, Section 37-5-603(b), is amended by deleting “committee of the house of representatives having oversight over children and families” and substituting “civil justice committee of the house of representatives”.

[37-5-605]

SECTION 39. Tennessee Code Annotated, Section 37-5-605(a), is amended by deleting “committee of the house of representatives having oversight over children and families” and substituting “civil justice committee of the house of representatives”.

[38-1-101]

SECTION 40. Tennessee Code Annotated, Section 38-1-101(a)(2), is amended by deleting “judiciary committee of the house of representatives” and substituting “criminal justice committee of the house of representatives”.

[38-6-102]

SECTION 41. Tennessee Code Annotated, Section 38-6-102(f), is amended by deleting “judiciary committees of the senate and house of representatives” and substituting “judiciary committee of the senate and criminal justice committee of the house of representatives”.

[38-6-207]

SECTION 42. Tennessee Code Annotated, Section 38-6-207, is amended by deleting “judiciary committee of the house of representatives” and substituting “criminal justice committee of the house of representatives”.

[38-8-312]

SECTION 43. Tennessee Code Annotated, Section 38-8-312(f), is amended by deleting “judiciary committees of the house of representatives and senate” and substituting “civil justice and criminal justice committees of the house of representatives and the judiciary committee of the senate”.

[39-13-530]

SECTION 44. Tennessee Code Annotated, Section 39-13-530(j), is amended by deleting “committee of the house of representatives having oversight over children and families” and substituting “civil justice committee of the house of representatives”.

PUBLIC CHAPTER NO. 64 (cont'd)**[39-17-1316]**

SECTION 45. Tennessee Code Annotated, Section 39-17-1316(e)(2), is amended by deleting “judiciary committee of the house of representatives” and substituting “criminal justice committee of the house of representatives”.

[39-17-1351]

SECTION 46. Tennessee Code Annotated, Section 39-17-1351(p)(1), is amended by deleting “judiciary committee of the house of representatives” and substituting “criminal justice committee of the house of representatives”.

[40-1-111]

SECTION 47. Tennessee Code Annotated, Section 40-1-111(a)(1)(D)(iii), is amended by deleting “judiciary committee of the house of representatives” and substituting “criminal justice committee of the house of representatives”.

[40-17-125]

SECTION 48. Tennessee Code Annotated, Section 40-17-125(h), is amended by deleting “judiciary committee of the house of representatives” and substituting “criminal justice committee of the house of representatives”.

[40-30-111]

SECTION 49. Tennessee Code Annotated, Section 40-30-111(e)(1), is amended by deleting “judiciary committee of the house of representatives” and substituting “criminal justice committee of the house of representatives”.

[40-31-107]

SECTION 50. Tennessee Code Annotated, Section 40-31-107(b), is amended by deleting “judiciary committee of the house of representatives” and substituting “criminal justice committee of the house of representatives”.

[40-33-216]

SECTION 51. Tennessee Code Annotated, Section 40-33-216(a), is amended by deleting “judiciary committee of the house of representatives” and substituting “civil justice and criminal justice committees of the house of representatives”.

[40-36-105]

SECTION 52. Tennessee Code Annotated, Section 40-36-105(2), is amended by deleting “committee of the house of representatives having oversight over corrections” and substituting “criminal justice committee of the house of representatives”.

[41-1-502]

SECTION 53. Tennessee Code Annotated, Section 41-1-502(a), is amended by deleting “the chair of the judiciary committee of the house of representatives,

PUBLIC CHAPTER NO. 64 (cont'd)

and the chair of the committee of the house of representatives having oversight over corrections” and substituting “and the chairs of the criminal justice and state government committees of the house of representatives”.

[41-1-503]

SECTION 54. Tennessee Code Annotated, Section 41-1-503(b), is amended by deleting “committee of the house of representatives having oversight over corrections” and substituting “state government committee of the house of representatives”.

[41-1-507]

SECTION 55. Tennessee Code Annotated, Section 41-1-507, is amended by deleting “committee of the house of representatives having oversight over corrections” in subsection (a) and subdivision (a)(6) and substituting “state government committee of the house of representatives”.

[41-21-243]

SECTION 56. Tennessee Code Annotated, Section 41-21-243(9), is amended by deleting “committee of the house of representatives having oversight over corrections” and substituting “state government committee of the house of representatives”.

[41-22-116]

SECTION 57. Tennessee Code Annotated, Section 41-22-116(f), is amended by deleting “committee of the house of representatives having oversight over corrections” and substituting “state government committee of the house of representatives”.

[41-22-405]

SECTION 58. Tennessee Code Annotated, Section 41-22-405(a)(1), is amended by deleting “committee of the house of representatives having oversight over corrections” and substituting “state government committee of the house of representatives”.

[41-22-406]

SECTION 59. Tennessee Code Annotated, Section 41-22-406(a)(1)(E), is amended by deleting “committee of the house of representatives having oversight over corrections” and substituting “state government committee of the house of representatives”.

[41-22-408]

SECTION 60. Tennessee Code Annotated, Section 41-22-408, is amended by deleting “committee of the house of representatives having oversight over corrections” in subsection (e) and subdivision (f)(3)(8) and substituting “state government committee of the house of representatives”.

PUBLIC CHAPTER NO. 64 (cont'd)**[41-22-411]**

SECTION 61. Tennessee Code Annotated, Section 41-22-411, is amended by deleting “committee of the house of representatives having oversight over corrections” and substituting “state government committee of the house of representatives”.

[41-23-103]

SECTION 62. Tennessee Code Annotated, Section 41-23-103(b), is amended by deleting “judiciary committee of the house of representatives” and substituting “criminal justice of the house of representatives”.

[41-24-104]

SECTION 63. Tennessee Code Annotated, Section 41-24-104(a)(2)(B), is amended by deleting “committee of the house of representatives having oversight over corrections” and substituting “state government committee of the house of representatives”.

[41-24-106]

SECTION 64. Tennessee Code Annotated, Section 41-24-106, is amended by deleting “committee of the house of representatives having oversight over corrections” in subdivisions (1) and (2) and substituting “state government committee of the house of representatives”.

[41-24-109]

SECTION 65. Tennessee Code Annotated, Section 41-24-109, is amended by deleting “committee of the house of representatives having oversight over corrections” each time it appears and substituting “state government committee of the house of representatives”.

[47-18-5002]

SECTION 66. Tennessee Code Annotated, Section 47-18-5002(3), is amended by deleting “consumer and human resources” and substituting “commerce”.

[49-1-229]

SECTION 67. Tennessee Code Annotated, Section 49-1-229(e)(6)(A), is amended by inserting “instruction” between “education” and “committee of the house of representatives”.

[49-1-302]

SECTION 68. Tennessee Code Annotated, Section 49-1-302(a)(4)(B), is amended by inserting “administration” between “education” and “committee of the house of representatives” each time that the language appears.

PUBLIC CHAPTER NO. 64 (cont'd)**[49-1-306]**

SECTION 69. Tennessee Code Annotated, Section 49-1-306, is amended by deleting “committee of the house of representatives” and substituting “committees of the house of representatives”.

[49-1-309]

SECTION 70. Tennessee Code Annotated, Section 49-1-309, is amended by inserting “instruction” between “education” and “committee of the house of representatives” in subsections (b) and (c).

[49-1-608]

SECTION 71. Tennessee Code Annotated, Section 49-1-608, is amended by inserting “instruction” between “education” and “committee of the house of representatives” each time that the language appears.

[49-1-611]

SECTION 72. Tennessee Code Annotated, Section 49-1-611, is amended by inserting “administration” between “education” and “committee of the house of representatives” each time that the language appears.

[49-1-703]

SECTION 73. Tennessee Code Annotated, Section 49-1-703, is amended by inserting “administration” between “education” and “committee of the house of representatives” in subdivisions (2)(A)(iv) and (v).

[49-1-907]

SECTION 74. Tennessee Code Annotated, Section 49-1-907, is amended by deleting “education committee of the house of representatives” and substituting “education committees of the house of representatives”.

[49-1-1003]

SECTION 75. Tennessee Code Annotated, Section 49-1-1003(b), is amended by inserting “administration” between “education” and “committee of the house of representatives” each time that the language appears.

[49-1-1007]

SECTION 76. Tennessee Code Annotated, Section 49-1-1007, is amended by inserting “instruction” between “education” and “committee of the house of representatives”.

[49-2-2101]

SECTION 77. Tennessee Code Annotated, Section 49-2-2101(c)(4), is amended by inserting “administration” between “education” and “committee of the house of representatives”.

PUBLIC CHAPTER NO. 64 (cont'd)**[49-3-351]**

SECTION 78. Tennessee Code Annotated, Section 49-3-351(a)(4), is amended by inserting “administration” between “education” and “committee of the house of representatives”.

[49-4-708]

SECTION 79. Tennessee Code Annotated, Section 49-4-708, is amended by inserting “administration” between “education” and “committee of the house of representatives” in subsections (e) and (f).

[49-4-903]

SECTION 80. Tennessee Code Annotated, Section 49-4-903(b), is amended by deleting “education committee of the house of representatives” and substituting “education committees of the house of representatives”.

[49-5-403]

SECTION 81. Tennessee Code Annotated, Section 49-5-403(d), is amended by inserting “administration” between “education” and “committee of the house of representatives”.

[49-5-5605]

SECTION 82. Tennessee Code Annotated, Section 49-5-5605(a), is amended by inserting “administration” between “education” and “committee of the house of representatives”.

[49-6-308]

SECTION 83. Tennessee Code Annotated, Section 49-6-308(f), is amended by inserting “administration” between “education” and “committee of the house of representatives”.

[49-6-809]

SECTION 84. Tennessee Code Annotated, Section 49-6-809(h), is amended by inserting “administration” between “education” and “committee of the house of representatives”.

[49-6-1021]

SECTION 85. Tennessee Code Annotated, Section 49-6-1021(c), is amended by deleting “education committee of the house of representatives” and substituting “education committees of the house of representatives”.

[49-6-1306]

SECTION 86. Tennessee Code Annotated, Section 49-6-1306(a), is amended by inserting “instruction” between “education” and “committee of the house of representatives”.

PUBLIC CHAPTER NO. 64 (cont'd)**[49-6-2201]**

SECTION 87. Tennessee Code Annotated, Section 49-6-2201(b)(1), is amended by inserting "administration" between "education" and "committee of the house of representatives".

[49-6-3017]

SECTION 88. Tennessee Code Annotated, Section 49-6-3017(9), is amended by inserting "administration" between "education" and "committee of the house of representatives".

[49-6-3401]

SECTION 89. Tennessee Code Annotated, Section 49-6-3401(h), is amended by inserting "administration" between "education" and "committee of the house of representatives".

[49-6-3404]

SECTION 90. Tennessee Code Annotated, Section 49-6-3404(e)(5), is amended by inserting "administration" between "education" and "committee of the house of representatives".

[49-6-4302]

SECTION 91. Tennessee Code Annotated, Section 49-6-4302(b), is amended by inserting "administration" between "education" and "committee of the house of representatives".

[49-6-4503]

SECTION 92. Tennessee Code Annotated, Section 49-6-4503(c)(3), is amended by deleting "education committee of the house of representatives" and substituting "education committees of the house of representatives".

[49-6-5001]

SECTION 93. Tennessee Code Annotated, Section 49-6-5001(g), is amended by inserting "administration" between "education" and "committee of the house of representatives".

[49-6-6011]

SECTION 94. Tennessee Code Annotated, Section 49-6-6011(c), is amended by inserting "instruction" between "education" and "committee of the house of representatives".

[49-7-112]

SECTION 95. Tennessee Code Annotated, Section 49-7-112(d), is amended by deleting "education committee and commerce committee of the house of representatives" and substituting "education administration committee and commerce committee of the house of representatives".

PUBLIC CHAPTER NO. 64 (cont'd)**[49-7-143]**

SECTION 96. Tennessee Code Annotated, Section 49-7-143(d), is amended by inserting “administration” between “education” and “committee of the house of representatives”.

[49-7-169]

SECTION 97. Tennessee Code Annotated, Section 49-7-169(c), is amended by deleting “education committees of the senate and the house of representatives, and to the chairs of the judiciary committees of the senate and the house of representatives” and substituting “judiciary and education committees of the senate and the criminal justice and education administration committees of the house of representatives”.

[49-7-202]

SECTION 98. Tennessee Code Annotated, Section 49-7-202, is amended by inserting “administration” between “education” and “committee of the house of representatives” in subdivisions (d)(5), (q)(1)(B) and (C), and (q)(3); deleting “committees on education and finance, ways and means of the house of representatives” in subdivision (g)(1) and substituting “committees on education administration and finance, ways and means of the house of representatives”; and deleting “education and finance, ways and means committees of the house of representatives” in subsections (h) and (i) and subdivision (r)(5) and substituting “education administration and finance, ways and means committees of the house of representatives”.

[49-7-215]

SECTION 99. Tennessee Code Annotated, Section 49-7-215, is amended by inserting “administration” between “education” and “committee of the house of representatives”.

[49-7-217]

SECTION 100. Tennessee Code Annotated, Section 49-7-217(e)(2), is amended by inserting “administration” between “education” and “committee of the house of representatives”.

[49-7-502]

SECTION 101. Tennessee Code Annotated, Section 49-7-502, is amended by inserting “administration” between “education” and “committee of the house of representatives” in subsections (f), (g), and (h) each time the language appears.

[49-7-503]

SECTION 102. Tennessee Code Annotated, Section 49-7-503(c), is amended by inserting “administration” between “education” and “committee of the house of representatives”.

PUBLIC CHAPTER NO. 64 (cont'd)**[49-7-1210]**

SECTION 103. Tennessee Code Annotated, Section 49-7-1210, is amended by inserting "administration" between "education" and "committee of the house of representatives".

[49-7-2205]

SECTION 104. Tennessee Code Annotated, Section 49-7-2205(a), is amended by deleting "state government and education committees of the house of representatives" and substituting "state government and education administration committees of the house of representatives".

[49-7-2701]

SECTION 105. Tennessee Code Annotated, Section 49-7-2701(c), is amended by inserting "administration" between "education" and "committee of the house of representatives".

[49-8-111]

SECTION 106. Tennessee Code Annotated, Section 49-8-111(d)(2), is amended by inserting "administration" between "education" and "committee of the house of representatives".

[49-8-117]

SECTION 107. Tennessee Code Annotated, Section 49-8-117(c), is amended by inserting "administration" between "education" and "committee of the house of representatives".

[49-8-203]

SECTION 108. Tennessee Code Annotated, Section 49-8-203(1), is amended by inserting "administration" between "education" and "committee of the house of representatives".

[49-9-114]

SECTION 109. Tennessee Code Annotated, Section 49-9-114(c), is amended by inserting "administration" between "education" and "committee of the house of representatives".

[49-13-120]

SECTION 110. Tennessee Code Annotated, Section 49-13-120(b), is amended by deleting "to education committees of the senate and the house of representatives" and substituting "to the education committee of the senate and the education administration committee of the house of representatives".

PUBLIC CHAPTER NO. 64 (cont'd)**[50-6-121]**

SECTION 111. Tennessee Code Annotated, Section 50-6-121, is amended by deleting “consumer and human resources” and substituting “commerce” in subdivision (a)(1)(G) and subsections (i) and (j).

[50-6-132]

SECTION 112. Tennessee Code Annotated, Section 50-6-132, is amended by deleting “consumer and human resources” and substituting “commerce”.

[50-6-244]

SECTION 113. Tennessee Code Annotated, Section 50-6-244, is amended by deleting “consumer and human resources” and substituting “commerce” in subsection (a) and subdivision (b)(2).

[50-6-402]

SECTION 114. Tennessee Code Annotated, Section 50-6-402(b), is amended by deleting “consumer and human resources” and substituting “commerce”.

[50-6-415]

SECTION 115. Tennessee Code Annotated, Section 50-6-415(a)(2), is amended by deleting “consumer and human resources” and substituting “commerce”.

[50-7-451]

SECTION 116. Tennessee Code Annotated, Section 50-7-451(c)(2), is amended by deleting “consumer and human resources” and substituting “commerce”.

[55-10-418]

SECTION 117. Tennessee Code Annotated, Section 55-10-418(e), is amended by deleting “judiciary committee of the house of representatives” and substituting “criminal justice committee of the house of representatives”.

[63-10-222]

SECTION 118. Tennessee Code Annotated, Section 63-10-222, is amended by deleting “committee of the house of representatives having oversight over TennCare” and substituting “health committee of the house of representatives”.

[68-1-125]

SECTION 119. Tennessee Code Annotated, Section 68-1-125(d), is amended by deleting “judiciary committee of the house of representatives” and substituting “civil justice committee of the house of representatives”.

[71-5-106]

SECTION 120. Tennessee Code Annotated, Section 71-5-106(a)(1), is amended by deleting “finance, ways and means, and the health and welfare committees of the senate, the health committee of the house of representatives, and the committee of the house of representatives having oversight over TennCare” and substituting “finance, ways and means and health and welfare committees of the senate and the finance, ways and means and health committees of the house of representatives”.

[71-5-107]

SECTION 121. Tennessee Code Annotated, Section 71-5-107(f)(2)(H), is amended by deleting “the health committee of the house of representatives, and the committee of the house of representatives having oversight over TennCare” and substituting “and the health committee and insurance committee of the house of representatives”.

[71-5-118]

SECTION 122. Tennessee Code Annotated, Section 71-5-118(c), is amended by deleting “the judiciary committee of the house of representatives, and the committee of the house of representatives having oversight over TennCare” and substituting “and the criminal justice committee of the house of representatives”.

[71-5-151]

SECTION 123. Tennessee Code Annotated, Section 71-5-151, is amended in subsection (a) by deleting “the health committee of the house of representatives, and the committee of the house of representatives having oversight over TennCare” and substituting “and the health committee of the house of representatives”; and in subdivision (c)(2) by deleting “the health committee of the house of representatives, and the committee of the house of representatives having oversight over TennCare” and substituting “and the health committee of the house of representatives”.

[71-5-152]

SECTION 124. Tennessee Code Annotated, Section 71-5-152(c), is amended by deleting “health committee of the house of representatives, and committee of the house of representatives having oversight over TennCare” and substituting “and the health committee of the house of representatives”.

[71-5-188]

SECTION 125. Tennessee Code Annotated, Section 71-5-188(a), is amended by deleting “the committee of the house of representatives having oversight over TennCare, “.

PUBLIC CHAPTER NO. 64 (cont'd)**[71-5-190]**

SECTION 126. Tennessee Code Annotated, Section 71-5-190(a), is amended by deleting “the committee of the house of representatives having oversight over TennCare,”.

[71-5-2505]

SECTION 127. Tennessee Code Annotated, Section 71-5-2505(8), is amended by deleting “the committee of the house of representatives having oversight over TennCare,”.

[71-5-2508]

SECTION 128. Tennessee Code Annotated, Section 71-5-2508, is amended by deleting “committee of the house of representatives having oversight over TennCare” and substituting “criminal justice committee of the house of representatives”.

[71-5-2512]

SECTION 129. Tennessee Code Annotated, Section 71-5-2512(d), is amended by deleting “and the committee of the house of representatives having oversight over TennCare,” and substituting “and the insurance committee of the house of representatives,”.

[71-6-125]

SECTION 130. Tennessee Code Annotated, Section 71-6-125(d), is amended by deleting “judiciary committee of the house of representatives” and substituting “criminal justice committee of the house of representatives”.

SECTION 131. The Tennessee Code Commission is requested to make appropriate changes to references to the names of the committees of the house of representatives pursuant to this act as supplements are issued and volumes are replaced.

[Effective date 3/29/2021]

SECTION 132. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 65**SENATE BILL NO. 1258****By Reeves**

Substituted for: House Bill No. 52

By Marsh, Hazlewood

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 11 and Title 39, Chapter 17, relative to antique gambling devices.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[39-17-501]

SECTION 1. Tennessee Code Annotated, Section 39-17-501, is amended by adding the following as a new subdivision:

() “Antique coin machine” means a gambling device or record that is at least twenty-five (25) years old and that is operated, played, worked, manipulated, or used by inserting or depositing a coin, slug, token, or thing of value to play a game, see pictures, hear music, or provide any other form of entertainment and includes, but is not limited to, antique slot machines, antique gambling devices, or antique gaming machines;

[39-17-505]

SECTION 2. Tennessee Code Annotated, Section 39-17-505(a), is amended by adding the following as a new subdivision:

()(A) It is not an offense for a person to own, possess, buy, or sell an antique coin machine if:

(i) The antique coin machine is not used for gambling purposes; and

(ii) Members of the public are not permitted to operate any antique coin machine that is displayed in public.

(B) A person selling an antique coin machine shall indicate to all prospective buyers that the antique coin machine is not to be used for gambling purposes.

[Effective date 7/1/2021]

SECTION 3. This act takes effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 66**SENATE BILL NO. 1350****By Gardenhire**

Substituted for: House Bill No. 947

By Smith, Hazlewood

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 17 and Title 62, Chapter 19, relative to auctions of previously titled motor vehicles that are antique or unique.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[55-17-120]

SECTION 1. Tennessee Code Annotated, Section 55-17-120, is amended by adding the following as a new subsection:

(f)(1) Notwithstanding this part, a motor vehicle dealer license is not required to sell or purchase previously titled antique or unique motor vehicles through an auction format held in conjunction with a motor vehicle festival:

(A) Held at a municipal convention center, as defined in § 7-4-101, located in a county with a population of not less than three hundred thirty-six thousand four hundred (336,400) and not more than three hundred thirty-six thousand five hundred (336,500), according to the 2010 census or any subsequent census; and

(B) For which a portion of the festival's proceeds are donated to a hospital neurological institute located in a county with a population of not less than three hundred thirty-six thousand four hundred (336,400) and not more than three hundred thirty-six thousand five hundred (336,500), according to the 2010 census or any subsequent census.

(2) This subsection (f) is repealed on October 20, 2021.

[62-19-128]

SECTION 2. Tennessee Code Annotated, Section 62-19-128, is amended by adding the following as a new subsection:

(h)(1) Notwithstanding subdivision (b)(9), a motor vehicle dealer license is not required to sell or purchase previously titled antique or unique motor vehicles through an auction format held in conjunction with a motor vehicle festival:

(A) Held at a municipal convention center, as defined in § 7-4-101, located in a county with a population of not less than three hundred thirty-six thousand four hundred (336,400) and not more than three hundred thirty-six thousand five hundred (336,500), according to the 2010 census or any subsequent census; and

PUBLIC CHAPTER NO. 66 (cont'd)

(B) For which a portion of the festival's proceeds are donated to a hospital neurological institute located in a county with a population of not less than three hundred thirty-six thousand four hundred (336,400) and not more than three hundred thirty-six thousand five hundred (336,500), according to the 2010 census or any subsequent census.

(2) This subsection (h) is repealed on October 20, 2021.

[Effective date 10/15/2021]

SECTION 3. This act takes effect October 15, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 67**SENATE BILL NO. 1376****By Bell; Mr. Speaker McNally; Pody, Yarbro**

Substituted for: House Bill No. 523

By Gant, Cepicky, Powers, Hawk, Smith, Thompson, Curcio, Rudder,
Freeman, Carr, Hodges, Halford, White, Mitchell, Curtis Johnson, Farmer,
Keisling, Hazlewood

AN ACT to amend Tennessee Code Annotated, Section 56-7-102, relative to insurance.

WHEREAS, a policy of insurance is a contract between the insurance company and the policyholder; and

WHEREAS, the rights, duties, and obligations under a policy of insurance are enforceable in accordance with the policy's terms, statutes enacted by the General Assembly, and applicable rules adopted by the Department of Commerce and Insurance; and

WHEREAS, the General Assembly has enacted a statute, Tennessee Code Annotated, Section 56-7-120, regulating the assignability of benefits only under certain policies of insurance that provide coverage for health care; and

WHEREAS, except for policies subject to Tennessee Code Annotated, Section 56-7-120, Tennessee jurisprudence recognizes that a provision in a policy of insurance prohibiting assignment without the consent of the insurance company is valid and enforceable; and

WHEREAS, the General Assembly, by this act, confirms that a provision in a policy of insurance prohibiting assignment is valid and enforceable in accordance with the terms of such provision, subject to exceptions in Tennessee Code Annotated, Section 56-7-120; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[56-7-102]

SECTION 1. Tennessee Code Annotated, Section 56-7-102, is amended by adding the following as a new subsection:

(g) Except as provided in § 56-7-120, the rights, duties, or benefits provided by a policy of insurance issued under this title may be assigned only as expressly provided by the terms of the policy of insurance or as otherwise expressly allowed by the insurer.

[Effective date 3/29/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 68

SENATE BILL NO. 1419

By Akbari, Campbell

Substituted for: House Bill No. 827

By Parkinson, McKenzie, Harris, Love, Hakeem, Camper, Cooper, Lamar,
Miller, Chism, Dixie

AN ACT to amend Tennessee Code Annotated, Title 15, Chapter 2, relative to
days of special observance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

[15-2-136]

SECTION 1. Tennessee Code Annotated, Title 15, Chapter 2, is amended
by adding the following as a new section:

The month of April is observed as “Barber, Beauty, and Health
Month” in this state to recognize the contributions of Tennesseans to
the health and beauty industry, to honor those persons who work in
the health and beauty industry, to recognize those persons who work
to help this state become the best in the nation for natural hair care
and cosmetology, and to remind Tennesseans of the importance of
maintaining proper health and wellness.

[Effective date 3/29/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare
requiring it.

PUBLIC CHAPTER NO. 69

SENATE BILL NO. 143

By Stevens

Substituted for: House Bill No. 515

By Gant, Hazlewood, Todd

AN ACT to amend Tennessee Code Annotated, Section 67-4-1001 and Section 67-4-1005, relative to products containing nicotine.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[67-4-1001]

SECTION 1. Tennessee Code Annotated, Section 67-4-1001(23), is amended by deleting the subdivision and substituting instead the following:

(23) "Tobacco products":

(A) Means cigars, cigarettes, manufactured tobacco, and snuff; and

(B) Does not include smokeless nicotine products or tobacco produced and processed by the grower for the grower's own use and not for sale;

[67-4-1001]

SECTION 2. Tennessee Code Annotated, Section 67-4-1001, is amended by adding the following as a new, appropriately designated subdivision:

() "Smokeless nicotine product":

(A) Means nicotine that is in the form of a solid, gel, gum, or paste that is intended for human consumption or placement in the oral cavity or absorption into the human body by any means other than inhalation; and

(B) Does not include tobacco or tobacco products;

[67-4-1001]

SECTION 3. Tennessee Code Annotated, Section 67-4-1001(2), is amended by adding the following as a new subdivision:

(C) "Cigarette" does not include smokeless nicotine products;

[67-4-1005]

SECTION 4. Tennessee Code Annotated, Section 67-4-1005, is amended by deleting the section and substituting instead the following:

(a) The rate on all other tobacco products, including, but not limited to, cigars, cheroots, stogies, beedies, bidis, manufactured tobacco, and

PUBLIC CHAPTER NO. 69 (cont'd)

snuff of all descriptions made of tobacco or any substitute for tobacco, is six and six-tenths percent (6.6%) of the wholesale cost price.

(b) This section does not apply to smokeless nicotine products.

[Effective date 3/31/2021]

SECTION 5. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 70

HOUSE BILL NO. 141

**By Representatives Lamberth, Gant, Williams, Moody, Gillespie,
Weaver, Clemmons, Hazlewood, Camper, Cepicky, Jernigan**

Substituted for: Senate Bill No. 736

By Senators Johnson, Akbari, Campbell, Walley, Watson, Yarbro

AN ACT to amend Tennessee Code Annotated, Section 67-4-2109 and Title 67,
Chapter 6, Part 3, relative to tax benefits for qualified productions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

[[4-29-242]]

SECTION 1. Tennessee Code Annotated, Title 67, Chapter 6, Part 3, is
amended by adding the following as a new section:

(a) For purposes of this section:

(1) "Applicant" means a person applying for an exemption
under this section;

(2) "Best interests of the state" means a determination by the
commissioners of revenue and economic and community development
that the qualified production is a result of the exemption provided in
this section and the benefits to the state resulting from the production
outweigh the anticipated costs. In making this determination, the
commissioners may consider the investment made, jobs created,
impact to the community, and any other matters deemed appropriate
by the commissioners;

(3) "Commission" means the Tennessee film, entertainment
and music commission, created by § 4-3-5003;

(4) "Esports" means leagues, competitive circuits, tournaments,
or similar competitions where individuals or teams play video games,
typically for spectators, either in-person or online, for the purpose of
ranking, prizes, money, or entertainment; and

(5) "Qualified production" means any of the following activities,
as determined by the commission:

(A) The production of a film, pilot episode, series, esports
event, or other episodic content in this state;

(B) The creation of computer-generated imagery, video
games, or interactive digital media in this state; or

(C) Stand-alone audio or visual post-production scoring
and editing in this state.

(b) The sale, use, storage, or consumption of tangible personal
property, computer software, or services that are necessary to and
primarily used for a qualified production are exempt from the tax
imposed by this chapter, if the commissioner of revenue and the

PUBLIC CHAPTER NO. 70 (cont'd)

commissioner of economic and community development determine under the process set forth in subsection (c), in their sole discretion and in writing, that such an exemption is in the best interests of the state.

(c) Eligibility for the exemption set forth in subsection (b) is determined as follows:

(1) An applicant must apply to the commission, on a form prescribed by the commission, describing the basis for seeking an exemption under subsection (b), including the nature of the production activities involved;

(2) If the commission determines that the applicant is engaging in a qualified production, then the commission shall notify the applicant and the department of revenue of that determination, and the applicant may apply to the department of revenue for the exemption under subsection (b) on a form prescribed by the department of revenue;

(3) The department of revenue shall not approve an application for the exemption under subsection (b) unless the commissioner of revenue and the commissioner of economic and community development each determine, in their sole discretion and in writing, that approving the exemption is in the best interests of the state.

(d) If the exemption is approved by the department of revenue, then the department of revenue shall issue a sales and use tax exemption certificate to the applicant that identifies the qualified production.

(e) A third party purchasing or using tangible personal property, computer software, or services that are necessary to and primarily used for a qualified production that is granted an exemption may separately apply to the department of revenue, on a form prescribed by the department of revenue, to use the exemption to make purchases on a tax-exempt basis for the identified qualified production. If the third party is approved by the department of revenue, then the department of revenue shall issue a sales and use tax exemption certificate to the third party that identifies the qualified production.

(f) An exemption certificate issued pursuant to this section expires two (2) years from its effective date. The person to whom the exemption certificate is granted may apply for renewals of the exemption certificate through the process described in subsections (c) and (e). For each renewal application granted, the department of revenue shall issue to the applicant a sales and use tax exemption certificate that expires two (2) years from its effective date.

[[4-29-247; 63-19-103]]

SECTION 2. Tennessee Code Annotated, Section 67-4-2109, is amended by deleting subsection (j) and substituting instead the following:

(1) For purposes of this subsection (j):

(A) "Applicant" means a person applying for a credit under this subsection (j);

PUBLIC CHAPTER NO. 70 (cont'd)

(B) "Best interests of the state" means a determination by the commissioners of revenue and economic and community development that the qualified production is a result of the credit provided in this subsection (j) and the benefits to the state resulting from the production outweigh the anticipated costs. In making this determination, the commissioners may consider the investment made, jobs created, impact to the community, and any other matters deemed appropriate by the commissioners;

(C) "Commission" means the Tennessee film, entertainment and music commission, created by § 4-3-5003;

(D) "Esports" means leagues, competitive circuits, tournaments, or similar competitions where individuals or teams play video games, typically for spectators, either in-person or online, for the purpose of ranking, prizes, money, or entertainment;

(E) "Qualified payroll expenses" means compensation paid in this state, as determined pursuant to § 67-4-2111(f), for qualified positions during the applicable tax period, subject to programmatic caps established by the commission;

(F) "Qualified position" means services performed by an employee or an independent contractor determined by the commission to be necessary to and primarily for a qualified production; and

(G) "Qualified production":

(i) Means any of the following activities, as determined by the commission:

(a) The production of a film, pilot episode, series, esports event, or other episodic content in this state;

(b) The creation of computer-generated imagery, video games, or interactive digital media in this state; or

(c) Stand-alone audio or visual post-production scoring and editing in this state; and

(ii) Includes activities by a third party that are necessary to and performed on behalf of a person engaging in the activities covered by subdivision (j)(1)(G)(i).

(2)

(A) If the commissioner of revenue and the commissioner of economic and community development determine under the process set forth in subdivision (j)(3), in their sole discretion and in writing, that it is in the best interests of the state, a credit for qualified payroll expenses in the amounts specified in subdivision (j)(2)(B) is allowed against an applicant's combined franchise and excise tax liability. The total credit taken on any franchise and excise tax return, including any credit carried forward from prior tax periods, shall not exceed fifty percent (50%) of the combined franchise and excise tax liability shown on the return before any credit is taken. Any unused credit allowed under this subsection (j) may be carried forward in any tax period

PUBLIC CHAPTER NO. 70 (cont'd)

until the credit is taken; provided, however, that the credit shall not be carried forward for more than fifteen (15) years.

(B) The amount of the credit for qualified payroll expenses allowed under subdivision (j)(2)(A) is forty percent (40%) of qualified payroll expenses, except in the case of qualified payroll expenses paid to individuals whose primary residence is in a tier 2, tier 3, or tier 4 enhancement county, for which the credit is fifty percent (50%) of qualified payroll expenses.

(3) Eligibility for the credit set forth in this subsection (j) is determined as follows:

(A) An applicant must apply to the commission, on a form prescribed by the commission, describing the basis for seeking a credit under this subsection (j), including the nature of the production activities involved and number of employment positions that the applicant estimates to be deemed qualified positions;

(B) If the commission determines that the applicant is engaging in a qualified production, then the commission shall notify the applicant and the department of revenue of that determination, and the applicant may apply to the department of revenue for the credit under this subsection (j) on a form prescribed by the department of revenue;

(C) The department of revenue shall not approve an application for the credit under this subsection (j) unless the commissioner of revenue and the commissioner of economic and community development each determine, in their sole discretion and in writing, that approving the application is in the best interests of the state.

(4) If the application is approved by the department of revenue in accordance with subdivision (j)(3)(B), then the applicant shall claim the credit under this subsection (j) in a manner prescribed by the department of revenue.

(5)

(A) Subject to the approval of the department of revenue, an applicant may file a combined return with one (1) or more affiliates or affiliated group members for purposes of fully utilizing this credit. The request to file a combined return must be included in the applicant's application for the credit under subdivision (j)(3)(B) and is subject to the approval of the department of revenue.

(B) Once an application to file a combined return is granted, an applicant may apply to add or change affiliates or affiliated group members included in the combined return prior to filing the first combined return on which the credit is claimed. If the addition or change is approved pursuant to subdivision (j)(5)(C), then the members included on the combined return must remain unchanged for a minimum of three (3) years, beginning with the first tax year in which the credit is claimed on a combined return. Each member

PUBLIC CHAPTER NO. 70 (cont'd)

included on the combined return must close its taxable year on the same date, except that an affiliate included in the group may exit the group during the taxable year due to a change in ownership, merger, or liquidation of the member, in which case the member exiting the group must be excluded from the group and must compute its net earnings as otherwise provided in part 20 of this chapter and its net worth as otherwise provided in this part.

(C) A request to file a combined return, or to add or change affiliates or affiliated group members included in a combined return, shall not be approved unless the commissioner of revenue and the commissioner of economic and community development each determine, in their sole discretion and in writing, that approving the request is in the best interests of the state.

(6) This subsection (j) is subject to the reporting requirements of subsection (r) and § 67-1-118.

[[Effective date 3/23/2021]]

SECTION 3. Section 1 of this act takes effect July 1, 2021, the public welfare requiring it. Section 2 of this act takes effect July 1, 2021, the public welfare requiring it, and applies to tax years beginning on or after that date.

PUBLIC CHAPTER NO. 71

HOUSE BILL NO. 264

By Representative Ragan

Substituted for: Senate Bill No. 38

By Senator Roberts

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 63, Chapter 11, relative to the board of examiners in psychology.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (9).

[4-29-247; 63-11-101]

SECTION 2. Tennessee Code Annotated, Section 4-29-247(a), is amended by inserting the following as a new subdivision:

() Board of examiners in psychology, created by § 63-11-101;

[Effective date 3/29/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 72**HOUSE BILL NO. 272****By Representative Ragan**

Substituted for: Senate Bill No. 45

By Senators Roberts, Powers

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 71, Chapter 4, relative to the committee for providing competitive integrated employment for individuals with severe disabilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (16).

[4-29-247; 71-4-703]

SECTION 2. Tennessee Code Annotated, Section 4-29-247(a), is amended by inserting the following as a new subdivision:

() Committee for providing competitive integrated employment for individuals with severe disabilities, created by § 71-4-703;

[Effective date 3/29/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 73

HOUSE BILL NO. 280

By Representatives Ragan, Crawford

Substituted for: Senate Bill No. 55

By Senator Roberts

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 7, Chapter 86, relative to the emergency communications board.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (26).

[4-29-246; 7-86-302]

SECTION 2. Tennessee Code Annotated, Section 4-29-246(a), is amended by inserting the following as a new subdivision:

() Emergency communications board, created by § 7-86-302;

[Effective date 3/29/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 74**HOUSE BILL NO. 286****By Representative Ragan**

Substituted for: Senate Bill No. 61

By Senator Roberts

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 50, Chapter 3, relative to the occupational safety and health review commission.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (34).

[4-29-248; 50-3-801]

SECTION 2. Tennessee Code Annotated, Section 4-29-248(a), is amended by inserting the following as a new subdivision:

() Occupational safety and health review commission, created by § 50-3-801;

[Effective date 3/29/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 75

HOUSE BILL NO. 311

By Representative Ragan

Substituted for: Senate Bill No. 91

By Senator Roberts

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 49, Chapter 8, relative to the Tennessee State University, board of trustees.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (64).

[4-29-244; 49-8-101; 49-8-201]

SECTION 2. Tennessee Code Annotated, Section 4-29-244(a), is amended by inserting the following as a new subdivision:

() Tennessee State University, board of trustees, created by §§ 49-8-101 and 49-8-201;

[Effective date 3/29/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 76**HOUSE BILL NO. 557****By Representative Marsh**

Substituted for: Senate Bill No. 591

By Senators Jackson, Powers

AN ACT to amend Tennessee Code Annotated, Title 57, Chapter 3, Part 2; Title 57, Chapter 3, Part 8 and Title 57, Chapter 4, Part 1, relative to the transfer of alcoholic beverage inventory.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[57-3-226]

SECTION 1. Tennessee Code Annotated, Title 57, Chapter 3, Part 2, is amended by adding the following as a new section:

(a) Notwithstanding § 57-3-204(c) or any other law to the contrary, a retailer licensed pursuant to § 57-3-204 that is selling the licensed establishment to a new licensee of the same license type or that is closing the licensed establishment may sell or transfer its alcoholic beverages to the purchasing entity or person or to another establishment of the same license type held by the closing licensee, if:

(1) The selling or closing licensee submits written notice to the commission and the department of revenue at least ten (10) days in advance of the sale or transfer to dispose of the licensee's remaining inventory. The commission shall determine the form of such notice and the method by which the notice must be provided. The notice must identify the licensee who is purchasing or receiving the inventory, the proposed date of the sale or transfer, and the quantity, types, and brands of alcoholic beverages to be sold or transferred;

(2) All invoices and debts related to alcoholic beverages being sold or transferred pursuant to this section are paid in full prior to the alcoholic beverages being sold or transferred; and

(3) The purchaser or transferee is licensed by the commission under § 57-3-204 prior to the sale or transfer being finalized.

[57-3-820]

SECTION 2. Tennessee Code Annotated, Title 57, Chapter 3, Part 8, is amended by adding the following as a new section:

(a) Notwithstanding any other law to the contrary, a retailer licensed pursuant to § 57-3-803 that is selling the licensed establishment to a new licensee of the same license type or that is closing the licensed establishment may sell or transfer its wine to the purchasing entity or person or to another establishment of the same license type held by the closing licensee, if:

PUBLIC CHAPTER NO. 76 (cont'd)

(1) The selling or closing licensee submits written notice to the commission and the department of revenue at least ten (10) days in advance of the sale or transfer to dispose of the licensee's remaining inventory. The commission shall determine the form of such notice and the method by which the notice must be provided. The notice must identify the licensee who is purchasing or receiving the inventory, the proposed date of the sale or transfer, and the quantity, types, and brands of wine to be sold or transferred;

(2) All invoices and debts related to wine being sold pursuant to this section are paid in full prior to the wine being sold or transferred; and

(3) The purchaser or transferee is licensed by the commission under § 57-3-803 prior to the sale or transfer being finalized.

[57-4-111]

SECTION 3. Tennessee Code Annotated, Title 57, Chapter 4, Part 1, is amended by adding the following as a new section:

(a) Notwithstanding any other law to the contrary, a retailer licensed pursuant to § 57-4-101 that is selling the licensed establishment to a new licensee of the same license type or that is closing the licensed establishment may sell or transfer its alcoholic beverages to the purchasing entity or person or to another establishment of the same license type held by the closing licensee, if:

(1) The selling or closing licensee submits written notice to the commission and the department of revenue at least ten (10) days in advance of the sale or transfer to dispose of the licensee's remaining inventory. The commission shall determine the form of such notice and the method by which the notice must be provided. The notice must identify the licensee who is purchasing or receiving the inventory, the proposed date of the sale or transfer, and the quantity, types, and brands of alcoholic beverages to be sold or transferred;

(2) All invoices and debts related to alcoholic beverages being sold or transferred pursuant to this section are paid in full prior to the alcoholic beverages being sold or transferred; and

(3) The purchaser or transferee is licensed by the commission under § 57-4-101 prior to the sale or transfer being finalized.

[Effective date 3/29/2021]

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 77

HOUSE BILL NO. 16

By Representatives Cepicky, Griffey, Doggett, Warner, Helton, Cochran, Eldridge, Moon, Calfee, Rudd, Hall, Jernigan, Weaver, Hulsey, Carr, Rudder, Littleton, Moody, Smith, Kumar, Curcio, Jerry Sexton, Ragan, Haston, Reedy, Howell, Gant, Williams, Casada, Garrett, Crawford, Darby, Tim Hicks, Todd, Hawk, Lynn, Bricken, Travis, Russell, Gillespie, White, Terry, Sherrell, Marsh, Parkinson, Powers, Sparks, Hurt

Substituted for: Senate Bill No. 230

By Senators Hensley, White, Kelsey, Bowling, Reeves, Rose

AN ACT to amend Tennessee Code Annotated, Title 49, relative to the Teacher's Discipline Act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[49-6-2801]

SECTION 1. This act is known and may be cited as the "Teacher's Discipline Act."

[T. 49, ch. 6, part 28; 49-6-2801; 49-6-2802; 49-6-2803; 49-6-2804]

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 6, is amended by adding the following as a new part:

49-6-3701.

(a) A teacher trained in evidence-based behavior supports is authorized to manage the teacher's classroom, discipline students, and refer a student to the principal or the principal's designee to maintain discipline in the classroom, and to hold students in the teacher's charge strictly accountable for any disorderly conduct in school.

(b) Each student discipline policy or code of conduct adopted by a local board of education or public charter school governing body pursuant to § 49-6-4002 must include:

(1) Evidence-based behavior supports and interventions; and

(2) A provision authorizing teachers and administrators to enforce the student discipline policy or code of conduct and to hold students accountable for any disorderly conduct in school, on school buses, or at school-sponsored events.

49-6-3702.

(a)

(1) Each local board of education and each public charter school governing body shall adopt a policy regarding a teacher's ability to relocate a student from the student's present location to another location for the student's safety or for the safety of others.

PUBLIC CHAPTER NO. 77 (cont'd)

(2) The use of reasonable or justifiable force, as defined in §§ 39-11-603, 39-11-609, 39-11-610, 39-11-612, 39-11-613, 39-11-614, 39-11-621, and 39-11-622, if required to accomplish this task due to the unwillingness of the student to cooperate, is allowed. If steps beyond the use of reasonable or justifiable force are required, then the student must be allowed to remain in place until local law enforcement officers or school resource officers can be summoned to relocate the student or take the student into custody until a parent or guardian can retrieve the student.

(3) The policy required under this subsection (a) must authorize teachers to intervene in a physical altercation between two (2) or more students, or between a student and an LEA employee or public charter school employee, as applicable, using reasonable or justifiable force upon a student, if necessary, to end the altercation by relocating the student to another location.

(b) The policy required under subsection (a) must:

(1) Be in effect on school property, as well as at official school-sponsored events, including, but not limited to, sporting events and approved field trips that take place away from school property; and

(2) Cover teachers who are directly responsible for the student's education, and other LEA employees or public charter school employees, as applicable, who interact with students on a professional basis. The LEA employees or public charter school employees described in this subdivision (b)(2) include, but are not limited to, administrators, teachers, school support staff, bus drivers, cafeteria workers, and school resource officers while the employee is acting within the scope of the employee's assigned duties.

(c) The policy required under subsection (a) must require a teacher to file a brief report with the principal detailing the situation that required the relocation of the student. The report must be kept either in a student discipline file, in which case the report does not become a part of the student's permanent record, or it must be filed in the student's permanent record, if the student's behavior violated the applicable zero tolerance policy. After the teacher files the report required under this subsection (c), the student is subject to additional disciplinary action that may include suspension or expulsion from the school. The principal or the principal's designee must notify the teacher involved of the actions taken to address the behavior of the relocated student.

(d) Each principal shall fully support the authority of each teacher in the principal's school to relocate under this section.

(e) Each principal shall implement the policies and procedures of the local board of education or public charter school governing body, as applicable, relating to the authority of each teacher to relocate a student and shall disseminate such policies and procedures to the students, faculty, staff, and parents or guardians of students.

PUBLIC CHAPTER NO. 77 (cont'd)

(f) The policy required under subsection (a) must comply with all state and federal laws, including the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.), and Section 504 of the Rehabilitation Act (29 U.S.C. § 794).

49-6-3703.

In order to manage student behavior, to ensure the safety of all students in the teacher's classroom and school, and to ensure students the opportunity to learn in an orderly and disciplined classroom, a teacher may refer a student to the principal or the principal's designee. When a teacher disciplines a student by issuing a written referral for the student's behavior, the referral must be returned to the teacher with a notation of the action taken. The referral must be kept in a student discipline file, and shall not become a part of the student's permanent record. If an LEA or school has adopted an electronic system of making disciplinary referrals instead of using written referrals, then the teacher making the referral must be notified of the action taken, but the notification may be made either electronically or in writing. The principal or the principal's designee must respond to a teacher's disciplinary referral of a student by employing appropriate discipline management techniques that are consistent with the LEA's or school's policy. The director of schools, or the director's designee, must review the LEA's or school's discipline policies, practices, and data annually and recommend any necessary revisions to discipline policies to the local board of education or the public charter school governing body, as applicable, for adoption.

49-6-3704.

(a) A teacher may submit a written request to the principal, or the principal's designee, to remove a student who repeatedly or substantially interferes with the teacher's ability to communicate effectively with the class or with the ability of the student's classmates to learn, if the student's behavior is in violation of the LEA's or school's student discipline policy or code of conduct. The written request must include documentation that the teacher has previously:

- (1) Taken action to address the student's disruptive behavior;
- (2) Provided consequences for the student's disruptive behavior;
- (3) Conducted an oral conference either by a documented telephone conversation or an in-person discussion with the student's parent or guardian regarding the student's disruptive behavior;
- (4) Provided an opportunity for school counseling or other support services deemed appropriate to address the student's disruptive behavior;
- (5) Developed and implemented a plan to improve the student's behavior in a conference with the student; and
- (6) Issued a disciplinary referral under § 49-6-3703 to address the student's disruptive behavior.

PUBLIC CHAPTER NO. 77 (cont'd)

(b) The principal or the principal's designee must give the student oral or written notice of the grounds for the teacher's request to remove the student from the teacher's classroom and, if the student denies engaging in the conduct, then the principal or the principal's designee must explain what caused the teacher to submit a request to the principal or the principal's designee to remove the student from the teacher's classroom, and give the student an opportunity to explain the situation. If the student's account is deemed to be valid, albeit different from the teacher's account, and changes the principal's, or the principal's designee's, perspective of the incident, then the principal or the principal's designee must render a decision regarding the student's placement.

(c) Principals and their designees shall respect the professional judgment of a teacher requesting to remove a student from the teacher's classroom under subsection (a) and shall take an action consistent with the student discipline policy or code of conduct adopted pursuant to § 49-6-4002 in response to the request, which may include:

(1) Assigning the student to another appropriate classroom for a specified period of time, or for the remainder of the student's assignment to the class from which the student was removed under subsection (a);

(2) Assigning the student to in-school suspension for a specified period of time, in compliance with § 49-6-3401;

(3) Remanding the student to an alternative school or to an alternative education program for a specified period of time, in compliance with §§ 49-6-3401 and 49-6-3402;

(4) Suspending the student pursuant to § 49-6-3401;

(5) Requiring the parents or guardians of a student who is removed from a teacher's classroom and assigned to another appropriate classroom under subdivision (c)(1) to participate in conferences before the student is permitted to return to the classroom from which the student was removed; or

(6) Denying the teacher's request to remove a student from the teacher's classroom and offering appropriate supports for the teacher to address the student's disruptive behavior.

(d) Any action taken in response to a teacher's request to remove a student from the teacher's classroom must comply with all applicable policies of the local board of education or the public charter school governing body, as applicable, the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.), Section 504 of the Rehabilitation Act (29 U.S.C. § 794), the constitutions of the United States and Tennessee, and all applicable federal and state civil rights laws.

(e) Principals or their designees must notify law enforcement, as appropriate, when implementing this section, and in compliance with §§ 49-6-4209 and 49-6-4301.

PUBLIC CHAPTER NO. 77 (cont'd)

(f)

(1) A local board of education or public charter school governing body shall establish an appeal process for a teacher to file an appeal when the teacher's request to remove a student from the teacher's classroom is denied pursuant to subdivision (c)(6). An appeal process established under this subdivision (f)(1) must authorize a teacher to file an appeal with the director of schools, or the director's designee, when the teacher's request to remove a student from the teacher's classroom is denied pursuant to subdivision (c)(6).

(2) A teacher shall not be terminated, demoted, harassed, or otherwise retaliated against for filing a request for a student to be removed from the teacher's classroom, or for appealing a decision to deny the teacher's request to remove a student pursuant to this subsection (f).

(g) If a teacher abuses or overuses the student removal process provided in this section, then the principal or the principal's designee must address the abuse or overuse with the teacher in compliance with the local board's or public charter school governing body's policy, as applicable, and may require the teacher to complete additional professional development to improve the teacher's classroom management skills.

(h) To assist local boards of education and public charter school governing bodies in determining the effectiveness of student discipline policies and classroom supports provided to teachers to help address student behavior, each school shall annually report to the director of schools or to the head of the public charter school, as applicable, by July 1, 2022, and by each July 1 thereafter, the number of requests submitted by the school's teachers during the immediately preceding school year to remove a student from the teacher's classroom pursuant to subsection (a). The report must document the actions taken by the teacher's principal, or the principal's designee, in response to each request for a student's removal. Each director of schools must compile the data provided in each school's report and issue a district-wide report to the local board of education by August 1 immediately following the July 1 deadline for school reports.

(i) The commissioner of education may review the school and district-wide reports required under subsection (h) and provide training and other resources to schools and LEAs to address any needs identified through the commissioner's review.

(j) On or before February 1, 2023, and on or before February 1 of each year thereafter, the commissioner shall report to the governor and the general assembly on the implementation of, and compliance with, this part.

[49-6-4102]

SECTION 3. Tennessee Code Annotated, Section 49-6-4102, is amended by deleting subsection (a).

PUBLIC CHAPTER NO. 77 (cont'd)**[49-6-4008]**

SECTION 4. Tennessee Code Annotated, Section 49-6-4008, is amended by deleting the section.

[49-6-4106]

SECTION 5. Tennessee Code Annotated, Section 49-6-4106, is amended by deleting the section.

[49-6-4002]

SECTION 6. Tennessee Code Annotated, Section 49-6-4002(d), is amended by deleting subdivision (9) and substituting instead the following:

(9) Disobedient, violent, abusive, uncontrollable, or disruptive student conduct on school property, on school buses, and at school-sponsored events;

[49-5-209]

SECTION 7. Tennessee Code Annotated, Section 49-5-209(b)(5), is amended by deleting “§ 49-6-4008” and substituting instead “§ 49-6-3702”.

[Effective date 1/1/2022]

SECTION 8. This act takes effect January 1, 2022, the public welfare requiring it.

PUBLIC CHAPTER NO. 78**HOUSE BILL NO. 58****By Representative Haston**

Substituted for: Senate Bill No. 175

By Senator Lundberg

AN ACT to amend Tennessee Code Annotated, Title 45, relative to property held by banks.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[45-2-607]

SECTION 1. Tennessee Code Annotated, Section 45-2-607(b)(1), is amended by deleting the language “six (6) months” and substituting instead the language “twelve (12) months”.

[Effective date 3/31/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 79

HOUSE BILL NO. 91

By Representatives Lamberth, Gant, Hurt, Hazlewood

Substituted for: Senate Bill No. 740

By Senators Johnson, Niceley, Walley

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 221, Part 12, relative to the drinking water revolving loan fund.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[68-221-1206]

SECTION 1. Tennessee Code Annotated, Section 68-221-1206(e), is amended by deleting the language “twenty (20)” and substituting instead the language “thirty (30)”.

[68-221-1206]

SECTION 2. Tennessee Code Annotated, Section 68-221-1206(e)(1), is amended by deleting the language “thirty (30)” and substituting instead the language “forty (40)”.

[Effective date 3/31/2021]

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 80**HOUSE BILL NO. 128****By Representatives Howell, Hardaway, Ragan, Jernigan, Todd**

Substituted for: Senate Bill No. 450

By Senators Bell, Jackson

AN ACT to amend Tennessee Code Annotated, Title 66, Chapter 27, relative to dedicatory instruments.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 66-27-602, is amended by adding the following as a new subsection (d):

This section applies to dedicatory instruments:

- (1) Created on or after July 1, 2017; or
- (2) Amended on or after July 1, 2017.

[4-29-247; 63-8-103]

SECTION 2. Tennessee Code Annotated, Section 66-27-603, is amended by deleting the section in its entirety and substituting instead the following:

(a) A homeowners' association shall not prohibit, by covenant, condition, restriction, or rule, the use of any sign posted to warn the public of health, safety, or dangerous natural conditions associated with water on the property when:

(1) The property owner has consulted with local or state authorities regarding a condition on the property that may pose a threat to health and safety to a person on the property and a liability, or potential liability, to the property owner; and

(2) The property contains a pond, including a retention or detention pond, or a lake, stream, river, or other natural body of water.

(b) A homeowners' association may adopt or enforce reasonable rules and regulations regarding the placement and manner for the display of the signs permitted by this section.

(c) This section does not alter, reduce, or eliminate any civil or criminal liability of a property owner for injuries arising from any condition on the owner's property.

(d) This section applies to dedicatory instruments entered into before, on, or after July 1, 2021.

[Effective date 3/23/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 81

HOUSE BILL NO. 254

By Representative Ragan

Substituted for: Senate Bill No. 65

By Senator Roberts

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 64, Chapter 8, relative to the regional transportation authority of Middle Tennessee.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (38).

[4-29-245; 64-8-101]

SECTION 2. Tennessee Code Annotated, Section 4-29-245(a), is amended by inserting the following as a new subdivision:

() Regional transportation authority of Middle Tennessee, created by § 64-8-101;

[Effective date 3/31/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 82**HOUSE BILL NO. 257****By Representative Ragan**

Substituted for: Senate Bill No. 31

By Senator Roberts

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 57, Chapter 1, relative to the alcoholic beverage commission.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (2).

[4-29-248; 57-1-102]

SECTION 2. Tennessee Code Annotated, Section 4-29-248(a), is amended by inserting the following as a new subdivision:

() Alcoholic beverage commission, created by § 57-1-102;

SECTION 3. The alcoholic beverage commission shall appear before the commerce, labor, transportation, and agriculture joint subcommittee no later than December 31, 2021, to update the committee on the commission's progress in addressing the findings set forth in the September 2020 performance audit report issued by the comptroller of the treasury.

[Effective date 3/31/2021]

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 83**HOUSE BILL NO. 50**

By Representatives Ogles, Lamberth, Lamar, Griffey, Crawford

Substituted for: Senate Bill No. 189

By Senators Bowling, Pody, Lundberg, Gilmore, Rose, Stevens

AN ACT to amend Tennessee Code Annotated, Title 39 and Title 40, relative to criminal

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[39-11-106, 39-11-504, 39-11-611, 39-11-620]

SECTION 1. This act shall be known and may be cited as the “2020 Defense Doctrine.”

[39-11-106]

SECTION 2. Tennessee Code Annotated, Section 39-11-106(a), is amended by adding the following as a new subdivision:

() “Grave sexual abuse” means:

(A) Aggravated rape, pursuant to § 39-13-502;

(B) Rape, pursuant to § 39-13-503;

(C) Rape of a child, pursuant to § 39-13-522; or

(D) Aggravated rape of a child, pursuant to § 39-13-531;

[39-11-504]

SECTION 3. Tennessee Code Annotated, Section 39-11-504(a), is amended by deleting the language “well-grounded apprehension of death or serious bodily injury” and substituting instead “well-grounded apprehension of death, serious bodily injury, or grave sexual abuse”.

[39-11-611]

SECTION 4. Tennessee Code Annotated, Section 39-11-611(b)(2)(A), is amended by deleting the language “imminent danger of death or serious bodily injury” and substituting instead the language “imminent danger of death, serious bodily injury, or grave sexual abuse”.

[39-11-611]

SECTION 5. Tennessee Code Annotated, Section 39-11-611(b)(2)(B), is amended by deleting the language “imminent death or serious bodily injury” and substituting instead “imminent death, serious bodily injury, or grave sexual abuse”.

PUBLIC CHAPTER NO. 83 (cont'd)**[39-11-611]**

SECTION 6. Tennessee Code Annotated, Section 39-11-611(f)(2), is amended by deleting the language “imminent danger of death or serious bodily injury” and substituting instead “imminent danger of death, serious bodily injury, or grave sexual abuse”.

[39-11-611]

SECTION 7. Tennessee Code Annotated, Section 39-11-611, is amended by deleting the language “death or serious bodily harm” from subdivisions (f) (3) and (f)(5)(B) and substituting instead “death, serious bodily injury, or grave sexual abuse”.

[39-11-620]

SECTION 8. Tennessee Code Annotated, Section 39-11-620(b), is amended by deleting the language “serious bodily injury” wherever it appears and substituting instead the language “serious bodily injury or grave sexual abuse”.

[39-11-106, 39-11-504, 39-11-611, 39-11-620]

SECTION 9. By January 1, 2022:

(1) The peace officer standards and training commission shall update all law enforcement training materials to reflect this act; and

(2) Any instructor who provides a handgun safety course that satisfies the training requirement to obtain a handgun carry permit shall update all training materials to reflect this act.

[Effective date 4/7/2021]

SECTION 10. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 84**HOUSE BILL NO. 100****By Representatives Jernigan, Moody, Hazlewood, Todd**

Substituted for: Senate Bill No. 167

By Senator Lundberg

AN ACT to amend Tennessee Code Annotated, Title 34, relative to guardianship.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:**[34-3-104]****SECTION 1.** Tennessee Code Annotated, Section 34-3-104, is amended by deleting subdivision (4) and substituting instead the following:

(4) The name, age, mailing address, relationship of the proposed conservator, statement of any felony or misdemeanor conviction of the proposed conservator, and, if the proposed conservator is not the petitioner, a statement signed by the proposed conservator acknowledging awareness of the petition and a willingness to serve. The petition must also include current copies of the following reports on the proposed conservator:

(A) A search of the department of health's registry of persons who have abused, neglected, or misappropriated the property of vulnerable persons, established by title 68, chapter 11, part 10; and

(B) A search of the national sex offender registry maintained by the United States department of justice;

[Effective date 1/1/2022]**SECTION 2.** This act takes effect January 1, 2022, the public welfare requiring it.

PUBLIC CHAPTER NO. 85**HOUSE BILL NO. 106****By Representative Lamberth**

Substituted for: Senate Bill No. 181

By Senator Johnson

AN ACT to amend Tennessee Code Annotated, Title 48, relative to meetings.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[48-17-109]

SECTION 1. Tennessee Code Annotated, Section 48-17-109, is amended by deleting the section and substituting the following:

(a) Unless the charter or bylaws provide otherwise, and subject to guidelines and procedures as the corporation may adopt, a corporation may permit any or all shareholders and proxyholders to participate in a regular or special meeting by, and the corporation may conduct the meeting through the use of, any means of remote communication if:

(1) The corporation implements reasonable measures to verify that each person deemed present and permitted to vote at the meeting by means of remote communication is a shareholder or proxyholder;

(2) The corporation implements reasonable measures to provide shareholders and proxyholders a reasonable opportunity to participate in the meeting and to vote on matters submitted to the shareholders, including an opportunity to read or hear the proceedings of the meeting substantially concurrently with the proceedings; and

(3) The corporation maintains a record of any vote or other action taken by a shareholder or proxyholder that is taken by means of remote communication.

(b) A shareholder or proxyholder who participates in a meeting by the means described in this section, whether the meeting is to be held at a designated place or solely by means of remote communication, is deemed to be present in person at the meeting.

[Effective date 4/7/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 86

HOUSE BILL NO. 131

By Representatives Hazlewood, Smith, Hakeem, Helton, Hall, Howell

Substituted for: Senate Bill No. 215

By Senators Watson, Bell, Gardenhire

AN ACT to amend Tennessee Code Annotated, Title 67, relative to taxes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[67-6-102]

SECTION 1. Tennessee Code Annotated, Section 67-6-102(95), is amended by adding the following as new subdivisions:

(D) "Tangible personal property" does not include mains, pipes, pipelines, or tanks after it has become attached to a building, or other structure, or installed underground for conducting steam, heat, water, wastewater, oil, electricity, gas, or any property, substance, or product capable of transportation or conveyance therein or that is protected thereby, excluding propane tanks for residential use and above-ground storage tanks that can be moved without disassembly and are not affixed to the land. Such mains, pipes, pipelines, and tanks are deemed realty for purposes of this chapter upon installation;

(E) "Tangible personal property" does not include surface, underground, or elevated railroads, or railroad structures, substructures, and superstructures, tracks and the metal thereon, branches, switches, and other improvements or structures permitted or authorized to be made in, upon, or under public or private property. Such railroads, railroad structures, substructures, superstructures, tracks and the metal thereon, branches, switches, and other improvements made in, upon, or under public or private property are deemed realty for purposes of this chapter upon installation;

[Effective date 7/1/2021]

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 87**HOUSE BILL NO. 207****By Representatives Lamberth, Towns**

Substituted for: Senate Bill No. 117

By Senators Johnson, Crowe

AN ACT to amend Tennessee Code Annotated, Title 47, relative to the True Origin of Goods Act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[47-18-402]

SECTION 1. Tennessee Code Annotated, Section 47-18-402(6), is amended by deleting the word “distribution” and substituting the language “distribution, display, or performance”.

[47-18-407]

SECTION 2. Tennessee Code Annotated, Section 47-18-407, is amended by deleting subsection (b) and substituting:

For the purpose of application of the Tennessee Consumer Protection Act of 1977, a violation of this part constitutes an unfair or deceptive act or practice affecting trade or commerce and is subject to the penalties and remedies as provided in the Tennessee Consumer Protection Act of 1977, in addition to the penalties and remedies set forth in this part. However, no criminal penalty is incurred for violation of this part.

[47-18-408]

SECTION 3. Tennessee Code Annotated, Title 47, Chapter 18, Part 4, is amended by adding the following as a new section:

(a) An owner, assignee, authorized agent, or exclusive licensee of a commercial recording or audiovisual work electronically disseminated by a website or online service in violation of this part may bring a private cause of action to obtain a declaratory judgment that an act or practice violates this part and obtain an injunction against a person who knowingly has violated, is violating, or is otherwise likely to violate this part. As a condition precedent to filing a civil action under this section, the aggrieved party must provide written notice to an individual alleged to be in violation of this part. The written notice must explain that the individual may be in violation of this part and that failure to cure the violation within fourteen (14) days of receipt of the written notice may result in a civil action filed in a court of competent jurisdiction.

(b) Upon motion of the party instituting the action, the court may make appropriate orders to compel compliance with this part.

PUBLIC CHAPTER NO. 87 (cont'd)

(c) The prevailing party in a cause of action under this section is entitled to recover necessary expenses and reasonable attorneys' fees.

[Effective date 7/1/2021]

SECTION 4. This act takes effect July 1, 2021, the public welfare requiring it, and applies to violations occurring on or after that date.

PUBLIC CHAPTER NO. 88**HOUSE BILL NO. 386****By Representative Russell**

Substituted for: Senate Bill No. 1268

By Senator Reeves

AN ACT to amend Tennessee Code Annotated, Title 50, Chapter 6, Part 4 and Title 50, Chapter 6, Part 9, relative to construction services providers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[SECTION 1. Tennessee Code Annotated, Section 50-6-909(b)(2), is amended by deleting the subdivision and substituting instead the following:]

(2) Upon verification from the bureau of workers' compensation that the provider qualified for reinstatement; and

[; 50-6-905; 50-6-906; 50-6-907; 50-6-911]

SECTION 2. Tennessee Code Annotated, Sections 50-6-904(c), 50-6-905(a)(2), 50-6-906, 50-6-907(b), and 50-6-911(a)(2), are amended by deleting the language "secretary of state's" wherever it appears and substituting instead the language "bureau of workers' compensation's".

[50-6-901; 50-6-903; 50-6-904; 50-6-905; 50-6-906; 50-6-907; 50-6-908; 50-6-909; 50-6-911; 50-6-912; 50-6-913; 50-6-915]

SECTION 3. Tennessee Code Annotated, Sections 50-6-901(11) and (16), 50-6-903(c)(2), 50-6-904, 50-6-905, 50-6-906, 50-6-907, 50-6-908, 50-6-909, 50-6-911, 50-6-912, 50-6-913(b), and 50-6-915, are amended by deleting the language "secretary of state" wherever it appears and substituting instead the language "bureau of workers' compensation".

[50-6-904]

SECTION 4. Tennessee Code Annotated, Section 50-6-904(a), is amended by adding the following as a new subdivision:

If the bureau of workers' compensation is unable for any reason to verify that the applicant meets the qualifications set forth in this part for inclusion on the exemption registry, or if the applicant, or any person completing or submitting the application on the applicant's behalf, misstates any material information on the application, then the applicant is not eligible for exemption under this part, and any exemption previously granted to the applicant is revoked.

PUBLIC CHAPTER NO. 88 (cont'd)

[50-6-907]

SECTION 5. Tennessee Code Annotated, Section 50-6-907(b), is amended by inserting the language "in Nashville" after the word "office" and before the language "is closed".

[50-6-911]

SECTION 6. Tennessee Code Annotated, Section 50-6-911(a)(2), is amended by deleting the language "the department of labor and workforce development" wherever it appears and substituting instead the language "the bureau of workers' compensation".

[50-6-911]

SECTION 7. Tennessee Code Annotated, Section 50-6-911(b)(1), is amended by deleting the language "the department of labor and workforce development,".

[50-6-912]

SECTION 8. Tennessee Code Annotated, Section 50-6-912(a)(7), is amended by deleting the word "filling" and substituting instead the word "filing".

[50-6-913]

SECTION 9. Tennessee Code Annotated, Section 50-6-913(b), is amended in the second sentence by deleting the language "designed to identify" and substituting instead the language "designed to establish and maintain exemptions of construction services providers pursuant to this part, for the purchase of computer software and hardware designed to identify".

[50-6-921]

SECTION 10. Tennessee Code Annotated, Section 50-6-921, is amended by deleting the language "by the secretary of state shall be in effect" and substituting instead the language "by the secretary of state or the bureau of workers' compensation shall be in effect".

[50-6-412]

SECTION 11. Tennessee Code Annotated, Section 50-6-412, is amended by deleting subsection (g).

[50-6-412]

SECTION 12. Tennessee Code Annotated, Section 50-6-412(h)(2)(A), is amended by deleting the language "and the administrator shall notify the secretary of state of such prohibition".

PUBLIC CHAPTER NO. 88 (cont'd)**[50-6-918]**

SECTION 13. Tennessee Code Annotated, Section 50-6-918, is amended by deleting the section.

[Effective date 1/1/2022]

SECTION 14. For rulemaking purposes, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect on January 1, 2022, the public welfare requiring it.

PUBLIC CHAPTER NO. 89**HOUSE BILL NO. 394**

By Representatives Hardaway, Clemmons, Love, Dixie, Ramsey, Hawk, Kumar, Shaw, Cooper, Miller, Chism, Gloria Johnson, Moon, Lynn, McKenzie, Camper, Curcio, Lamberth, Lamar, Stewart, Harris, White, Travis, Cochran, Ogles, Faison, Marsh, Jerry Sexton, Towns, Mitchell, Thompson, Hakeem, Whitson, Eldridge, Moody, Mannis

Substituted for: Senate Bill No. 201

By Senators Gilmore, Akbari, Campbell, Robinson, Yarbrow

AN ACT to amend Tennessee Code Annotated, Title 15, relative to Juneteenth.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[15-2-137]

SECTION 1. Tennessee Code Annotated, Title 15, Chapter 2, is amended by adding the following as a new section:

June 19 of each year is to be observed as “Juneteenth” to honor and recognize the celebration of the action of Major General Gordon Granger in Galveston, Texas, who on June 19, 1865, two and one-half years after the Emancipation Proclamation took effect, announced to the people of Texas, the last territory to receive news of the proclamation due to its geographic and strategic isolation, that “all slaves are free.” This day is not a legal holiday as defined in § 15-1-101.

[Effective date 4/7/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 90**HOUSE BILL NO. 395****By Representative Boyd**

Substituted for: Senate Bill No. 629

By Senator Bell

AN ACT to amend Tennessee Code Annotated, Title 50, Chapter 6, Part 9, relative to workers' compensation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated Section 50-6-914(b)(1), is amended by deleting the subdivision and substituting the following:

(A) Notwithstanding subsection (a) and subject to subdivision (b)(2), a general contractor, intermediate contractor, or subcontractor is not liable for workers' compensation to a construction services provider listed on the registry established pursuant to this part.

(B) Notwithstanding subsection (a) and subject to subdivision (b)(2), a general contractor, intermediate contractor, or subcontractor is not liable for workers' compensation to a construction services provider for injuries occurring during the time period of December 9, 2019, through September 9, 2021, if the following conditions are met:

(i) During the time period of December 9, 2017, through December 9, 2021, the construction services provider provided the general contractor, intermediate contractor, or subcontractor a notice of registration from the secretary of state showing exemption from § 50-6-902(a);

(ii) The general contractor, intermediate contractor, or subcontractor did not obtain workers' compensation insurance to cover the construction service provider providing the notice of registration; and

(iii) The construction services provider's exemption registry registration was revoked on December 9, 2019, pursuant to § 50-6-908(b)(1)(C), and the construction services provider failed to inform the general contractor, the intermediate contractor, or the subcontractor of the revocation.

[4-29-247; 63-3-103]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 91**HOUSE BILL NO. 421****By Representatives Lamberth, Powers**

Substituted for: Senate Bill No. 344

By Senators Johnson, Yager

AN ACT to amend Tennessee Code Annotated, Title 45, Chapter 5, relative to industrial loan and thrift companies.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[45-5-403]

SECTION 1. Tennessee Code Annotated, Section 45-5-403(a)(1)(A), is amended by deleting "Registrants may charge a service charge in an amount equal to four percent (4%) of the total amount of the loan, which charge may be deducted in advance from the principal of the loan" and substituting "Registrants may charge a service charge in an amount equal to five percent (5%) of the total amount of the loan, which charge may be deducted in advance from the principal of the loan".

[45-5-403]

SECTION 2. Tennessee Code Annotated, Section 45-5-403(a)(1)(B), is amended by deleting "four percent (4%) service charge" and substituting "five-percent service charge".

[45-5-403]

SECTION 3. Tennessee Code Annotated, Section 45-5-403(a)(2), is amended by deleting "four-percent service charge" and substituting "five-percent service charge".

[45-5-403]

SECTION 4. Tennessee Code Annotated, Section 45-5-403(a)(5)(A), is amended by deleting the subdivision and substituting the following:

(A) Registrants may also charge an installment maintenance fee of five dollars (\$5.00) per month.

[45-5-403]

SECTION 5. Tennessee Code Annotated, Section 45-5-403(a)(8), is amended by deleting "four percent (4%)" and substituting "five percent (5%)".

[45-5-403]

SECTION 6. Tennessee Code Annotated, Section 45-5-403(b), is amended by adding the following as a new subdivision:

(7)

PUBLIC CHAPTER NO. 91 (cont'd)

(A) In addition to any other charges permitted for the making of a loan under this part, a registrant may collect a closing fee at the time of the making of the loan for the purpose of preparing and executing the documents for, and verifying compliance with, the federal Truth in Lending Act (15 U.S.C. § 1601 et seq.), this section, and all other applicable statutes. The closing fee may be for an amount up to four percent (4%) of the amount financed but must not be more than fifty dollars (\$50.00). The closing fee may be paid from the proceeds of the amount borrowed or added to the amount financed.

(B) If a loan, upon which a closing fee has been charged, is prepaid in full by any means within ninety (90) days of the date of the loan, then the registrant must refund or credit the borrower with a pro rata portion of the closing fee. However, the registrant may retain up to twenty-five dollars (\$25.00) of the closing fee regardless of when the loan is prepaid.

[Effective date 7/1/2021]

SECTION 7. This act takes effect July 1, 2021, the public welfare requiring it, and applies to contracts or agreements entered into, amended, or renewed on or after that date.

PUBLIC CHAPTER NO. 92**HOUSE BILL NO. 473****By Representative White**

Substituted for: Senate Bill No. 365

By Senator Yager

AN ACT to amend Tennessee Code Annotated, Section 49-7-154, relative to candidates selected as finalists for employment.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[49-7-154]

SECTION 1. Tennessee Code Annotated, Section 49-7-154, is amended by deleting subdivision (c)(1) and substituting instead the following:

(1) Notwithstanding subsection (a) and (b), a search committee may select up to three (3) candidates to be recommended to the governing board of the public institution of higher education for the following positions:

- (A) A president of a locally governed state university;
- (B) The president of the University of Tennessee system;
- (C) A chancellor of a University of Tennessee campus or institute;
- (D) The chancellor of the Tennessee Board of Regents;
- (E) A president of a community college; or
- (F) A president or director of a Tennessee college of applied technology.

[49-7-154]

SECTION 2. Tennessee Code Annotated, Section 49-7-154(c)(7), is amended by deleting the language "July 1, 2021" and substituting instead "July 1, 2028".

[Effective date 4/7/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 93**HOUSE BILL NO. 500****By Representatives Rudd, Hazlewood, Helton, Cepicky**

Substituted for: Senate Bill No. 208

By Senator Haile

AN ACT to amend Tennessee Code Annotated, Section 2-7-143, relative to the Tennessee Freedom of Speech Act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[2-7-143]

SECTION 1. Tennessee Code Annotated, Section 2-7-143(b), is amended by deleting the language “general election” wherever it may appear and by substituting instead the language “election”.

SECTION 2: This act takes effect on July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 94**HOUSE BILL NO. 605****By Representatives Lamberth, White, Crawford, Hazlewood**

Substituted for: Senate Bill No. 569

By Senators Johnson, Yager, Bowling, Powers

AN ACT to amend Tennessee Code Annotated, Title 48; Title 62 and Title 66,
relative to compensation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

[62-13-315]

SECTION 1. Tennessee Code Annotated, Title 62, Chapter 13, Part 3, is amended by adding the following as a new section:

(a) A broker, affiliate broker, or other person licensed by the real estate commission may receive compensation directly to a business entity that:

(1) Is solely owned by that broker, affiliate broker, or other person; and

(2) Has been formed for the purpose of receiving compensation earned by that broker, affiliate broker, or other person for acts regulated by this chapter.

(b) A business entity formed for the purpose stated in subdivision (a)(2) is not required to be licensed under this chapter so long as the sole owner of the business entity is licensed by the real estate commission.

[Effective date 4/7/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 95**HOUSE BILL NO. 826**

**By Representatives Parkinson, Dixie, McKenzie, Harris, Love,
Hakeem, Camper, Lamar, Miller, Chism, Cooper, Clemmons,
Jernigan**

Substituted for: Senate Bill No. 714

By Senators Gilmore, Akbari, Campbell

AN ACT to amend Tennessee Code Annotated, Title 15, Chapter 2, relative to days of special observance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[15-2-138]

SECTION 1. Tennessee Code Annotated, Title 15, Chapter 2, is amended by adding the following as a new section:

The month of June is observed annually as “African-American Music Appreciation Month” in this state.

[Effective date 4/7/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 96**SENATE BILL NO. 103****By Kelsey, Lundberg**

Substituted for: House Bill No. 225

By Vaughan, White, Leatherwood, Hurt, Williams, Carr, Hazlewood, Lynn,
Todd

AN ACT to amend Tennessee Code Annotated, Title 49; Title 58 and Title 68.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

[49-2-214]

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 2, Part 2, is amended by adding the following as a new section:

(a) During an emergency as defined in § 58-2-101, local boards of education may consult with the state and local health departments when determining whether to open or close a school to in-person learning and instruction.

(b) Notwithstanding an executive order issued by the governor or an order issued by a local health board or other public health official, a local board of education has the sole authority to open or close a school to in-person learning and instruction during an emergency as defined in § 58-2-101. A local board of education may delegate the authority to open or close a school to in-person learning and instruction to the director of schools.

(c) Notwithstanding subsection (b), during an emergency as defined in § 58-2-101, if the governor issues an executive order with statewide applicability that requires schools to be open for in-person learning and instruction, then the executive order supersedes the authority granted in subsection (b).

[49-13-115]

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 13, is amended by adding the following as a new section:

(a) During an emergency as defined in § 58-2-101, the governing body of a public charter school may consult with the state and local health departments when determining whether to open or close a school to in-person learning and instruction.

(b) Notwithstanding an executive order issued by the governor or an order issued by a local health board or other public health official, the governing body of a public charter school has the sole authority to open or close a school to in-person learning and instruction during an emergency as defined in § 58-2-101. The governing body of a public charter school may delegate the authority to open or close a school to

PUBLIC CHAPTER NO. 96 (cont'd)

in-person learning and instruction to the administrator of the public charter school.

(c) Notwithstanding subsection (b), during an emergency as defined in § 58-2-101, if the governor issues an executive order with statewide applicability that requires schools to be open for in-person learning and instruction, then the executive order supersedes the authority granted in subsection (b).

[Effective date 4/7/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 97**SENATE BILL NO. 165****By Lundberg, Bell, Powers**

Substituted for: House Bill No. 107

By Hulsey, Todd, Carr

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 4, Part 2, relative to registration of boat trailers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[55-4-201]

SECTION 1. Tennessee Code Annotated, Section 55-4-201(8), is amended by deleting the language "boat dealer" and substituting instead the language "boat transport".

[55-4-226]

SECTION 2. Tennessee Code Annotated, Section 55-4-226(a), is amended by deleting the language "dealers and transporters of motor vehicles" and substituting instead the language "dealers, and transporters of motor vehicles or boats".

[55-4-226]

SECTION 3. Tennessee Code Annotated, Section 55-4-226, is amended by deleting subsection (f) and substituting instead the following:

(1) Registration plates issued under this subsection (f) may be issued only to manufacturers and dealers of boats or to persons or businesses that transport boats for hire.

(2) A person may operate a boat trailer for hire without registering the boat trailer, if the boat trailer is operated solely for the purpose of delivery of a boat to a customer of a manufacturer or dealer of boats and the boat trailer displays a special purpose boat transport plate issued to the manufacturer, dealer, person, or business as prescribed in this subsection (f).

(3) The following are authorized to make, either in person or through a duly authorized agent, employee, or lessee, application to any county clerk within the state, upon appropriate forms for a certificate and for one (1) or more special purpose boat transport plates:

(A) Any dealer or manufacturer of boats who hires individuals who own or operate boat trailers to deliver boats to the dealer's or manufacturer's customers; or

(B) Any person or business that owns or operates boat trailers to deliver boats.

PUBLIC CHAPTER NO. 97 (cont'd)

(4) The boat transport plates must be of a different color than the auto dealer and special event plates issued in the state for the particular year in question and must have the legend "TENN" at the top of the plate and must have "boat transport" at the bottom of the plate. The legend must contain the letters "BD" and five (5) numbers.

(5) The fee for the first plate is forty-seven dollars and thirty cents (\$47.30), and the fee for any plates in addition to the first plate is twenty-three dollars and sixty-five cents (\$23.65) for each additional plate.

(6) The county clerk, upon granting an application, shall issue to the applicant, upon the payment of the appropriate fee, a certificate containing the applicant's name and address.

(7) The special purpose boat transport plates issued under this subsection (f) expire on May 31 of each year, and a new plate or plates for the ensuing year may be obtained by the person to whom the expired plate or plates were issued upon application to the registrar of motor vehicles, or the registrar's deputy as provided by law. Issuance of the plates begins May 1 of each year, upon payment of the fee provided by law, and proof by the applicant that the applicant is still engaged in business as a manufacturer or dealer of boats or as a person or business that transports boats for hire.

(8) A business license shall not be required as proof that a person or business transports boats for hire.

[Effective date 7/1/2021]

SECTION 4. This act takes effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 98**SENATE BILL NO. 372****By Massey**

Substituted for: House Bill No. 796

By Howell, Carr, Ragan

AN ACT to amend Tennessee Code Annotated, Section 9-8-108, relative to incentive programs.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[9-8-108]

SECTION 1. Tennessee Code Annotated, Section 9-8-108(a)(10), is amended by deleting the subdivision and substituting instead the following:

(10) Is authorized to establish incentive programs for state departments, agencies, and institutions, including public institutions of higher education, for the purpose of reducing liabilities to the risk management fund created pursuant to § 9-8-109. Such incentive programs may include, but are not limited to, differential premium rates based on participation in loss control programs established by the board of claims; increased or decreased deductibles based on participation in loss control programs established by the board; and the imposition of fines and penalties. An incentive program established pursuant to this subdivision (a)(10) may include, but need not be limited to, policies and procedures for the effective and efficient administration of claims. Such policies and procedures may establish the timeframe and content for the agency response relative to claims and the imposition of fines and penalties for noncompliance. Any such premiums, deductibles, fines, or penalties must be paid from the budget of the respective department, agency, or institution and deposited into the risk management fund; and

[Effective date 4/7/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 99**SENATE BILL NO. 428****By Yager**

Substituted for: House Bill No. 586

By Marsh, Hardaway

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 221, Part 10, relative to the wastewater facility revolving loan fund.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[68-221-1003]

SECTION 1. Tennessee Code Annotated, Section 68-221-1003(7), is amended by adding the following new subdivision:

(C) "Local government" also means, for the purposes of this part only, a privately owned community wastewater treatment system subject to regulation by the Tennessee public utility commission;

[68-221-1006]

SECTION 2. Tennessee Code Annotated, Section 68-221-1006(a), is amended by designating the existing language as subdivision (1) and adding the following as a new subdivision:

(2) In regard to a local government as defined in § 68-221-1003(7) (C), loans are subject to the following conditions and requirements:

(A) The local government will not be considered for loans with principal forgiveness under the program;

(B) The local government must be categorized as one hundred percent (100%) ability to pay on the index established pursuant to § 68-221-1005;

(C) The local government must have at least a debt service coverage ratio of 1.25;

(D) The local government must provide security determined by the authority to be acceptable to secure a loan under this part; and

(E) The authority is authorized to direct the local government to the board and to the comptroller of the treasury for compliance as set forth in §§ 68-221-1009 and 68-221-1010.

[68-221-1005]

SECTION 3. Tennessee Code Annotated, Section 68-221-1005, is amended by adding the following as a new subsection:

(m) Subsections (g), (h), (i), and (k) do not apply to a local government as defined in § 68-221-1003(7)(C).

PUBLIC CHAPTER NO. 99 (cont'd)**[Effective date 4/7/2021]**

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it, and applies to all contracts entered into or renewed on or after that date.

PUBLIC CHAPTER NO. 100**SENATE BILL NO. 459****By Bell, Pody, Powers**

Substituted for: House Bill No. 177

By Russell, Crawford, Hurt, Hazlewood, Carr

AN ACT to amend Tennessee Code Annotated, Title 4; Title 16; Title 29 and Title 66, relative to rental property.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[66-28-522]

SECTION 1. Tennessee Code Annotated, Title 66, Chapter 28, Part 5, is amended by adding the following as a new section:

Notwithstanding a rental agreement to the contrary, a manager may testify against a tenant under this chapter in the same manner as a landlord or owner.

[66-28-104]

SECTION 2. Tennessee Code Annotated, Section 66-28-104, is amended by adding the following as a new subdivision:

“Manager” means an individual, group, business, or organization hired by a landlord or owner to oversee the day-to-day operations of a premises;

[66-7-109]

SECTION 3. Tennessee Code Annotated, Section 66-7-109, is amended by adding the following as a new subsection:

(h) Notwithstanding a rental agreement to the contrary, a manager may testify against a tenant under this chapter in the same manner as a landlord or owner.

[Effective date 7/1/2021]

SECTION 4. This act takes effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 101**SENATE BILL NO. 723****By Johnson, Stevens**

Substituted for: House Bill No. 62

By Lamberth, Gant, Garringer, Crawford, Bricken, Sherrell, Williams,
Cepicky, Hazlewood

AN ACT to amend Tennessee Code Annotated, Title 36, Chapter 1 and Section 68-3-313, relative to adoption records.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[36-1-102]

SECTION 1. Tennessee Code Annotated, Section 36-1-102(30), is amended by deleting the language "36-1-131,".

[36-1-102]

SECTION 2. Tennessee Code Annotated, Section 36-1-102(41)(A), is amended by deleting the language "the contact veto registry established by this part,".

[36-1-102]

SECTION 3. Tennessee Code Annotated, Section 36-1-102(41)(A), is amended by deleting the language "pursuant to the requirements of the contact veto process".

[36-1-111]

SECTION 4. Tennessee Code Annotated, Section 36-1-111(b)(4), is amended by deleting the following language:

12. Contact Veto.

I understand that information about who I am, where I live, my social and medical history and other similar information will be available to the adopted person when he/she is 21 years old or older if the adopted person asks for the information. Identifying information about me will not be released if I am the victim of rape or incest and that fact is known to DCS and I have not consented to release of the information. Even if the adopted person obtains information about me, I understand that I may direct that the adopted person not be allowed to contact me by registering a "contact veto" on this form or separately with the Tennessee Department of Children's Services at:

Contact Veto Registry

Post Adoption Unit

Tennessee Department of Children's Services

315 Deaderick Street

PUBLIC CHAPTER NO. 101 (cont'd)

UBS Tower, 9th Floor

Nashville, TN 37243

I may also change my previously expressed direction regarding contact at the same address. If I am contacted in violation of a contact veto, the adopted person will be guilty of a Class B misdemeanor and I can sue them for injunctive relief and compensatory and punitive damages and attorney's fees.

a. Do you want to register a contact veto in order to prevent the adopted person from contacting you in the future? Yes ☐ No ☐.

b. If identifying information about you is going to be released to the adopted person do you want to be notified before the information is released? Yes ☐ No ☐.

c. Please supply a permanent address and telephone number for the Department to use to consult with you regarding release of information about you to the adopted person:

d. Please describe any other directions regarding future contact and or any information you want passed on to the adopted person:

[36-1-126]

SECTION 5. Tennessee Code Annotated, Section 36-1-126(a), is amended by deleting subdivisions (3), (4), and (5) in their entireties.

[36-1-126]

SECTION 6. Tennessee Code Annotated, Section 36-1-126(a), is amended by deleting the language "or where the surrender or confirmation of parental consent or revocation of a surrender or parental consent was taken".

[36-1-126]

SECTION 7. Tennessee Code Annotated, Section 36-1-126(b)(1), is amended by deleting the language "or revoking the surrender or the parental consent or upon conclusion of all termination of parental rights proceedings that were filed in conjunction with an adoption proceeding".

[36-1-126]

SECTION 8. Tennessee Code Annotated, Section 36-1-126(b)(4), is amended by deleting the language "or dismissal of termination proceedings that were filed in conjunction with an adoption proceeding, or upon revocation of a surrender or parental consent, or modification of an order of guardianship".

[36-1-126]

SECTION 9. Tennessee Code Annotated, Section 36-1-126(b)(4), is amended by deleting the language "or surrender proceedings were initiated or filed shall forward a certified copy of the orders" and substituting instead the language "proceeding was initiated or filed shall forward a certified copy of the order".

PUBLIC CHAPTER NO. 101 (cont'd)**[36-1-126]**

SECTION 10. Tennessee Code Annotated, Section 36-1-126(c)(1), is amended by deleting the language", the order revoking the surrender, or the order dismissing the order of guardianship".

[36-1-127]

SECTION 11. Tennessee Code Annotated, Section 36-1-127(c)(1)(B), is amended by deleting the language", and, notwithstanding any other of the following provisions of this part to the contrary, the adopted person or a person for whom records are maintained as described in subdivision (c)(1)(A), such person's legal representative shall, under no circumstances, be required to take any affirmative action pursuant to the contact veto provisions of this part to protect the confidentiality of such identifying information".

[36-1-127]

SECTION 12. Tennessee Code Annotated, Section 36-1-127(c)(1)(C), is amended by deleting the language ". A lineal descendant given access pursuant to this subdivision (c)(1)(C) is subject to all the requirements of the contact veto process".

[36-1-127]

SECTION 13. Tennessee Code Annotated, Section 36-1-127(c), is amended by deleting subdivision (2) in its entirety.

[36-1-127]

SECTION 14. Tennessee Code Annotated, Section 36-1-127(c)(3), is amended by deleting the language "contact veto registry process and".

[36-1-127]

SECTION 15. Tennessee Code Annotated, Section 36-1-127(e)(2), is amended by deleting the language "A lineal descendant given access pursuant to this subsection (e) is subject to all requirements of the contact veto process."

[36-1-127]

SECTION 16. Tennessee Code Annotated, Section 36-1-127, is amended by deleting subsections (d) and (f) in their entireties.

[36-1-128; 36-1-129; 36-1-130; 36-1-131; 36-1-132]

SECTION 17. Tennessee Code Annotated, Sections 36-1-128, 36-1-129, 36-1-130, 36-1-131, and 36-1-132, are amended by deleting the sections in their entireties.

PUBLIC CHAPTER NO. 101 (cont'd)**[36-1-133]**

SECTION 18. Tennessee Code Annotated, Section 36-1-133(b), is amended by deleting the language", if those biological or legal relatives have not registered their consent as provided under §§ 36-1-128-36-1-131, or".

[36-1-134]

SECTION 19. Tennessee Code Annotated, Section 36-1-134(a)(2), is amended by deleting the language "A lineal descendant given access to records under this subdivision (a)(2) is subject to the requirements of the contact veto process."

[36-1-134]

SECTION 20. Tennessee Code Annotated, Section 36-1-134(b), is amended by deleting the language", or a person eligible to file a contact veto".

[36-1-137]

SECTION 21. Tennessee Code Annotated, Section 36-1-137(c), is amended by deleting the subsection in its entirety.

[36-1-138]

SECTION 22. Tennessee Code Annotated, Section 36-1-138(c)(7), is amended by deleting the language "The effect of any order permitting the lineal descendant who is permitted to have access pursuant to this subdivision (c)(7) shall be to make the lineal descendant subject to the contact veto process."

[36-1-138]

SECTION 23. Tennessee Code Annotated, Section 36-1-138(9), is amended by deleting the subsection in its entirety.

[36-1-138]

SECTION 24. Tennessee Code Annotated, Section 36-1-138, is amended by deleting the language "- 36-1-131" wherever it appears.

[36-1-141]

SECTION 25. Tennessee Code Annotated, Section 36-1-141(a)(1)(A), is amended by deleting subdivisions (ii) and (iii) in their entirety.

[36-1-141]

SECTION 26. Tennessee Code Annotated, Section 36-1-141(b)(7), is amended by deleting the subdivision in its entirety.

[36-1-141]

SECTION 27. Tennessee Code Annotated, Section 36-1-141(c)(3), is amended by deleting the language "contact veto or consent to contact or".

PUBLIC CHAPTER NO. 101 (cont'd)

[T. 36, ch. 1, part 3; 36-1-301; 36-1-302; 36-1-303; 36-1-304; 36-1-305]

SECTION 28. Tennessee Code Annotated, Title 36, Chapter 1, Part 3, is amended by deleting the part in its entirety.

[68-3-313]

SECTION 29. Tennessee Code Annotated, Section 68-3-313(a)(3), is amended by deleting the language “, § 36-1-127 or § 36-1-130” and substituting instead the language “or § 36-1-127”.

[68-3-313]

SECTION 30. By June 1, 2022, the department of children’s services shall notify each individual who has registered a contact veto at the most recent address contained in the contact veto registry of this act and its effective date.

[Effective date 7/1/2022]

SECTION 31. Section 30 of this act shall take effect upon becoming a law, the public welfare requiring it. All other provisions of this act shall take effect July 1, 2022, the public welfare requiring it.

PUBLIC CHAPTER NO. 102**SENATE BILL NO. 761****By Johnson, Stevens, Bowling**

Substituted for: House Bill No. 93

By Lamberth, Gant, Garrett, Hazlewood, Powell, Jernigan

AN ACT to amend Tennessee Code Annotated, Section 30-2-310, relative to time limitations on filing claims by the bureau of TennCare.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[30-2-310]

SECTION 1. Tennessee Code Annotated, Section 30-2-310, is amended by adding the following as new subsection (c):

(c) Notwithstanding subsections (a) and (b), § 71-5-116, and §§ 30-2-306 - 30-2-309:

(1) If the bureau of TennCare receives a notice to creditors as defined in § 30-2-306(b) within twelve (12) months of the decedent's date of death, then the bureau's claims and demands against the decedent's estate are forever barred unless the bureau files a claim with the probate court clerk or brings or revives suit within the later of:

(A) Twelve (12) months from the decedent's date of death;

or

(B) Four (4) months from the date when the bureau received the notice to creditors.

(2) If the bureau of TennCare does not receive a notice to creditors as defined in § 30-2-306(b) within twelve (12) months of the decedent's date of death, then the bureau's claims and demands against the decedent's estate are forever barred unless the bureau files a claim with the probate court clerk or files a petition to open or re-open a decedent's estate within forty-eight (48) months of the decedent's date of death.

(3) If a claim is not filed by the bureau of TennCare pursuant to subdivision (c)(1) or (c)(2), then the requirements of § 71-5-116(c)(2) do not apply.

[Effective date 4/7/2021]

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 103**SENATE BILL NO. 1046****By Southerland**

Substituted for: House Bill No. 402

By Keisling

AN ACT to amend Tennessee Code Annotated, Title 11; Title 47 and Title 55, relative to off-highway vehicles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[55-8-101]

SECTION 1. Tennessee Code Annotated, Section 55-8-101(12), is amended by deleting the subdivision and substituting instead the following:

(12) "Class I off-highway vehicle" means a motorized vehicle with not less than four (4) nonhighway tires, nor more than six (6) nonhighway tires, whose top speed is greater than thirty-five miles per hour (35 mph), that is limited in total dry weight up to three thousand five hundred pounds (3,500 lbs.), that is eighty inches (80") or less in width measured from the outside of the tire rim to the outside of the tire rim, and that has a nonstraddle seating capable of holding at least two (2) but no more than four (4) passengers and a steering wheel. "Class I off-highway vehicle" includes mini-trucks;

[11-11-203]

SECTION 2. Tennessee Code Annotated, Section 11-11-203(3)(A), is amended by deleting the subdivision and substituting instead the following:

(A) A motorized vehicle with not less than four (4) nonhighway tires, nor more than six (6) nonhighway tires, that is limited in total dry weight up to three thousand five hundred pounds (3,500 lbs.), and is eighty inches (80") or less in width measured from the outside of the tire rim to the outside of the tire rim;

[47-25-1902]

SECTION 3. Tennessee Code Annotated, Section 47-25-1902(1), is amended by deleting the subdivision and substituting instead the following:

(1) "All-terrain vehicle" means a motorized vehicle with no less than four (4) nonhighway tires, but no more than six (6) nonhighway tires, that is limited in total dry weight to less than three thousand five hundred pounds (3,500 lbs.), and is eighty inches (80") or less in width measured from the outside of the tire rim to the outside of the tire rim;

PUBLIC CHAPTER NO. 103 (cont'd)**[Effective date 4/7/2021]**

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 104**SENATE BILL NO. 1117****By White**

Substituted for: House Bill No. 428

By Littleton, Mannis, Bricken, Smith, Garringer, White, Terry, Gant, Haston,
Moon, Boyd, Hardaway, Powers, Ragan, Hazlewood, Garrett, Helton

AN ACT to amend Tennessee Code Annotated, Title 39 and Title 40, relative
to aggravated rape of a child.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

[39-13-531]

SECTION 1. Tennessee Code Annotated, Section 39-13-531, is amended
by deleting subsection (b) and substituting:

(b) Aggravated rape of a child is a Class A felony and shall be
punished as follows:

(1) If the defendant was a juvenile at the time of the commission
of the offense, then the sentence must be from within Range III, as set
forth in title 40, chapter 35; and

(2) If the defendant was an adult at the time of the commission
of the offense, then the sentencing provisions of title 40, chapter 35,
apply except:

(A) A sentencing hearing shall not be conducted as required
by § 40-35-209; and

(B) After a defendant is found guilty of aggravated rape of
a child, the judge shall sentence the defendant to imprisonment for life
without the possibility of parole.

[40-35-501]

SECTION 2. Tennessee Code Annotated, Section 40-35-501(i)(2), is
amended by adding the following new subdivision:

(L) Aggravated rape of a child, if the defendant was a
juvenile at the time of the commission of the offense;

[Effective date 7/1/2021]

SECTION 3. This act takes effect July 1, 2021, the public welfare requiring
it, and applies to sentences imposed on or after that date.

PUBLIC CHAPTER NO. 105**SENATE BILL NO. 1286****By White**

Substituted for: House Bill No. 478

By Lamberth, Garrett, Griffey, Jerry Sexton, Sherrell, Littleton

AN ACT to amend Tennessee Code Annotated, Title 37, relative to juvenile justice.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[37-1-114]

SECTION 1. Tennessee Code Annotated, Section 37-1-114(c)(1), is amended by adding the following as a new subdivision:

(C) Burglary, under § 39-14-402, aggravated burglary, under § 39-14-403, especially aggravated burglary, under § 39-14-404, an offense under title 39, chapter 13, part 4, or theft, under § 39-14-103, of a motor vehicle;

[37-1-131]

SECTION 2. Tennessee Code Annotated, Section 37-1-131, is amended by deleting subdivision (a)(3) and substituting:

(3) Placing the child in an institution, camp, or other facility for delinquent children operated under the direction of the court or other local public authority. The court may order the delinquent child to participate in programming at a nonresidential facility for delinquent children operated under the direction of the court or other local public authority after the period of detention. The court shall report each disposition of detention to the administrative office of the courts;

[Effective date 4/7/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 106

SENATE BILL NO. 1368

**By Bell, Bowling, Walley, Lundberg, Briggs, Jackson, Reeves, Rose,
Stevens**

Substituted for: House Bill No. 1163

By Lamberth, Garrett, Todd, Grills, Zachary, Gant, Sherrell, Crawford,
Alexander, Bricken, Haston, White, Griffey, Hurt, Williams

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 2, Part 6,
relative to local health services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

[68-2-601]

SECTION 1. Tennessee Code Annotated, Section 68-2-601, is amended
by adding the following as new subsections (g) and (h) and redesignating the
existing subsection (g) accordingly:

(g) This part does not grant a county board of health the power to
prohibit or regulate agriculture as defined in § 1-3-105.

(h) County health departments shall not regulate agriculture as
defined in § 1-3-105, except as otherwise authorized under state law.

[Effective date 4/7/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare
requiring it.

PUBLIC CHAPTER NO. 107**SENATE BILL NO. 327****By Lundberg**

Substituted for: House Bill No. 384

By Crawford, Campbell, Hulsey, Hardaway, Griffey, Moon, Russell, Calfee, Bricken, Eldridge, Carringer, Gary Hicks, Holsclaw, Faison, Tim Hicks, Hawk, Alexander, Haston, Smith, Lamberth, White, Parkinson, Moody, Powers, Sherrell, Terry, Williams, Helton, Hazlewood, Ragan, Littleton, Carr, Powell, Jernigan, Mannis, Todd, Lynn

AN ACT to amend Tennessee Code Annotated, Title 37; Title 38 and Title 39, relative to missing and endangered children.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[37-10-202]

SECTION 1. This act is known and may be cited as "Evelyn Boswell's Law."

[37-10-202]

SECTION 2. Tennessee Code Annotated, Section 37-10-202, is amended by deleting the section and substituting:

(a) Except as provided in subsection (b), whenever a parent knows, learns, or believes that a child under the parent's charge and care is missing, the parent shall report the child as being missing to a law enforcement agency or the Tennessee bureau of investigation.

(b) Whenever the parent knows, learns, or believes that a minor child under the parent's charge and care is missing, the parent shall make the report under subsection (a) within a reasonable time after determining that the child is missing, but in no event more than twenty-four (24) hours after determining that the child is missing. As used in this section, "minor child" means a person who is twelve (12) years of age or younger.

(c)(1) A parent who is subject to the duty imposed by subsection (b) commits the offense of failure to report a missing child if the parent fails to make, or fails to cause to be made, the report required under subsection (b) with intentional or reckless disregard for the safety of the minor child.

(2) Failure to report a missing child is a Class A misdemeanor.

(d) This section does not prohibit prosecution under any other law.

(e) It is a defense to prosecution under this section that the parent made reasonably diligent efforts to verify the whereabouts and safety of the minor child during the period of any delay in making the report required by subsection (b).

PUBLIC CHAPTER NO. 107 (cont'd)

(f) A person who knowingly makes a false allegation against a parent of failure to report a missing child as required by this section, in addition to any other penalties provided for by law, may be prosecuted for the offense of false reports under § 39-16-502, and the court may order the accuser to pay all litigation expenses, including, but not limited to, reasonable attorney's fees, discretionary costs, and other costs incurred by the wrongly accused party in defending against the false allegation.

[Effective date 7/1/2021]

SECTION 3. This act takes effect July 1, 2021, the public welfare requiring it, and applies to conduct occurring on or after that date.

PUBLIC CHAPTER NO. 108**SENATE BILL NO. 765****By Johnson, Bell, Lundberg, Powers, Bowling, Stevens**

Substituted for: House Bill No. 786

By Lamberth, Gant, Jerry Sexton, Terry, Griffey, Grills, Faison, Russell, Halford, Sherrell, Rudd, Sparks, Howell, Powers, Hall, Eldridge, Cepicky, Todd, Littleton, Lynn, Carr, Campbell, Doggett, Garrett

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 14, Part 1; Title 39, Chapter 17, Part 13 and Title 40, Chapter 35, relative to firearms.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[39-17-1307]

SECTION 1. Tennessee Code Annotated, Section 39-17-1307, is amended by adding the following new subsection:

(g) It is an exception to the application of subsection (a) that a person is carrying, whether openly or concealed, a handgun and:

(1)(A) The person is at least twenty-one (21) years of age; or

(B) The person is at least eighteen (18) years of age and:

(i) Is an honorably discharged or retired veteran of the United States armed forces;

(ii) Is an honorably discharged member of the army national guard, the army reserve, the navy reserve, the marine corps reserve, the air national guard, the air force reserve, or the coast guard reserve, who has successfully completed a basic training program; or

(iii) Is a member of the United States armed forces on active duty status or is a current member of the army national guard, the army reserve, the navy reserve, the marine corps reserve, the air national guard, the air force reserve, or the coast guard reserve, who has successfully completed a basic training program;

(2) The person lawfully possesses the handgun; and

(3) The person is in a place where the person is lawfully present.

[39-17-1313]

SECTION 2. Tennessee Code Annotated, Section 39-17-1313(a), is amended by deleting the subsection and substituting:

(a) Notwithstanding any law or any ordinance or resolution adopted by the governing body of a city, county, or metropolitan government, including any ordinance or resolution enacted before April 8, 1986, that prohibits or regulates the possession, transportation, or storage of a firearm or firearm ammunition, a person who has a valid enhanced handgun carry permit or concealed handgun carry permit or who lawfully carries a handgun pursuant to § 39-17-1307(g) may, unless

PUBLIC CHAPTER NO. 108 (cont'd)

expressly prohibited by federal law, transport and store a firearm or firearm ammunition in the person's motor vehicle, as defined in § 55-1-103, while on or utilizing any public or private parking area if:

(1) The person's motor vehicle is parked in a location where the motor vehicle is permitted to be; and

(2) The firearm or ammunition being transported or stored in the motor vehicle:

(A) Is kept from ordinary observation if the person is in the motor vehicle; or

(B) Is kept from ordinary observation and locked within the trunk, glove box, or interior of the person's motor vehicle or a container securely affixed to the motor vehicle if the person is not in the motor vehicle.

[39-17-1313]

SECTION 3. Tennessee Code Annotated, Section 39-17-1313(b), is amended by deleting the language "the holder of a valid handgun carry permit in the permit holder's motor vehicle" wherever it appears and substituting "a person in a person's motor vehicle pursuant to subsection (a)".

[39-17-1313]

SECTION 4. Tennessee Code Annotated, Section 39-17-1313(c)(1), is amended by deleting the language "permit holder" and substituting "person".

[39-17-1313]

SECTION 5. Tennessee Code Annotated, Section 39-17-1313(d), is amended by deleting the language "An enhanced handgun carry permit holder or concealed handgun carry permit holder" and substituting "A person" and by deleting the language "enhanced handgun carry permit holder or concealed handgun carry permit holder" and substituting the language "person".

[39-17-1351]

SECTION 6. Tennessee Code Annotated, Section 39-17-1351(n)(1), is amended by deleting the last sentence of the subdivision and substituting:

The permit holder shall have the permit in the holder's immediate possession at all times when carrying a handgun in a location or manner that would be prohibited if not for the person's status as an enhanced handgun carry permit holder and shall display the permit on demand of a law enforcement officer under such circumstances.

[39-17-1366]

SECTION 7. Tennessee Code Annotated, Section 39-17-1366(e), is amended by deleting the subsection and substituting:

(e) The permit holder shall have the permit in the holder's immediate possession at all times when carrying a handgun in a location or

PUBLIC CHAPTER NO. 108 (cont'd)

manner that would be prohibited if not for the person's status as a concealed handgun carry permit holder and shall display the permit on demand of a law enforcement officer under such circumstances.

[39-14-105]

SECTION 8. Tennessee Code Annotated, Section 39-14-105(a)(1), is amended by deleting the language "or less" and substituting "or less, except when the property obtained is a firearm".

[39-14-105]

SECTION 9. Tennessee Code Annotated, Section 39-14-105(a)(2), is amended by deleting the language "if the value of the property" and substituting "if the property obtained is a firearm worth less than two thousand five hundred dollars (\$2,500), or if the value of the property".

[39-14-105]

SECTION 10. Tennessee Code Annotated, Section 39-14-105(d), is amended by deleting the subsection and substituting:

(d) Theft of a firearm shall be punished by confinement for not less than one hundred eighty (180) days in addition to any other penalty authorized by law.

[40-35-114]

SECTION 11. Tennessee Code Annotated, Section 40-35-114, is amended by adding the following as a new subdivision:

(29) The offense involved the theft of a firearm from a motor vehicle, as defined in § 55-1-103;

[40-35-501]

SECTION 12. Tennessee Code Annotated, Section 40-35-501, is amended by adding the following new subsection:

(x)(1) For the offenses listed in subdivision (x)(2) committed on or after July 1, 2021, there shall be no release eligibility until the person has served eighty-five percent (85%) of the sentence imposed by the court, less sentence credits earned and retained. However, no sentence reduction credits authorized by § 41-21-236, or any other law, shall operate to reduce below seventy percent (70%) the percentage of sentence imposed by the court such person must serve before becoming release eligible.

(2) The offenses to which this subsection (x) applies are:

(A) Unlawful possession of a firearm by a person convicted of a felony crime of violence, an attempt to commit a felony crime of violence, or a felony involving use of a deadly weapon, under § 39-17-1307(b)(1)(A);

PUBLIC CHAPTER NO. 108 (cont'd)

(B) Unlawful possession of a firearm by a person convicted of a felony drug offense, under § 39-17-1307(b)(1)(B);

(C) Unlawful possession of a handgun by a person convicted of a felony, under § 39-17-1307(c); and

(D) Unlawfully providing a handgun to a juvenile or permitting a juvenile to possess a handgun, under § 39-17-1320.

[39-17-1307]

SECTION 13. Tennessee Code Annotated, Section 39-17-1307, is amended by adding the following new subsection:

()(1) A person commits an offense who carries, with the intent to go armed, a firearm and:

(A) Has been convicted of stalking as prohibited by § 39-17-315;

(B) Has been convicted of the offense of driving under the influence of an intoxicant in this or any other state two (2) or more times within the prior ten (10) years or one (1) time within the prior five (5) years;

(C) Has been adjudicated as a mental defective, judicially committed to or hospitalized in a mental institution pursuant to title 33, or had a court appoint a conservator for the person by reason of a mental defect; or

(D) Is otherwise prohibited from possessing a firearm by 18 U.S.C. 922(9) as it existed on January 1, 2021.

(2) An offense under subdivision ()(1) is a Class B misdemeanor.

[Effective date 7/1/2021]

SECTION 14. This act takes effect July 1, 2021, the public welfare requiring it, and applies to criminal offenses committed on or after that date.

PUBLIC CHAPTER NO. 109**SENATE BILL NO. 66****By Roberts**

Substituted for: House Bill No. 255

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 37, Chapter 3, Part 8, relative to the second look commission.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (39).

[4-29-246; 37-3-803]

SECTION 2. Tennessee Code Annotated, Section 4-29-246(a), is amended by inserting the following as a new subdivision:

() Second look commission, created by § 37-3-803;

[Effective date 4/13/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 110**SENATE BILL NO. 75****By Roberts**

Substituted for: House Bill No. 296

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 71, Chapter 5, Part 24, relative to the state TennCare pharmacy advisory committee.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (48).

[4-29-248; 71-5-2401]

SECTION 2. Tennessee Code Annotated, Section 4-29-248(a), is amended by inserting the following as a new subdivision:

 () State TennCare pharmacy advisory committee, created by § 71-5-2401;

[Effective date 4/13/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 111**SENATE BILL NO. 82****By Roberts**

Substituted for: House Bill No. 302

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 17, Chapter 5, relative to the Tennessee board of judicial conduct.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (55).

[4-29-246; 17-5-201]

SECTION 2. Tennessee Code Annotated, Section 4-29-246(a), is amended by inserting the following as a new subdivision:

() Tennessee board of judicial conduct, created by § 17-5-201;

SECTION 3. The Tennessee board of judicial conduct shall appear before the government operations joint evaluation committee on judiciary and government no later than December 31, 2021, to provide the committee an update on board-related activities.

[Effective date 4/13/2021]

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 112**SENATE BILL NO. 115****By Haile, Jackson, Massey, White**

Substituted for: House Bill No. 116

By Garrett, Littleton, Whitson, Grills, Towns, Hall, Thompson, White, Moon,
Ogles, Lamar, Sherrell, Jernigan, Terry, Moody, Mannis, Hazlewood, Helton,
Hodges, Todd, Beck

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, Part 3
and Title 55, Chapter 50, relative to lifetime disqualification from driving
commercial motor vehicles after conviction for trafficking offense.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

[55-50-405]

SECTION 1. Tennessee Code Annotated, Section 55-50-405, is amended
by adding the following as a new subsection:

(1) The commissioner shall suspend for life, a commercial
motor vehicle operator who has been convicted of a human trafficking
offense, as defined in § 39-13-314, or an equivalent offense in another
jurisdiction.

(2) A person who has been convicted of a human trafficking
offense, as defined in § 39-13-314, or an equivalent offense in another
jurisdiction, is disqualified from obtaining a commercial driver license.

[Effective date 4/13/2021]

SECTION 2. This act shall take effect upon becoming a law, the public
welfare requiring it.

PUBLIC CHAPTER NO. 113**SENATE BILL NO. 127****By Haile**

Substituted for: House Bill No. 1271

By Garrett, White, Griffey, Smith, Moody, Todd

AN ACT to amend Tennessee Code Annotated, Title 4; Title 49, Chapter 10, Part 14 and Title 67, relative to taxation of individualized education accounts.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[49-10-1403]

SECTION 1. Tennessee Code Annotated, Section 49-10-1403(j), is amended by deleting the subsection, which presently reads:

(j) Funds received pursuant to this part do not constitute income taxable to the parent of the participating student or to the student under title 67, chapter 2.

and substituting instead the following:

(j) Funds received pursuant to this part do not constitute income taxable to the parent of the participating student or to the student under title 67, chapter 2. All contributions or distributions made to, or on behalf of, participating students pursuant to any IEA authorized by this part are exempt from all state and local taxation under title 67 or other state law.

[Effective date 4/13/2021]

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 114**SENATE BILL NO. 133**

**By Crowe, Swann, Massey, Campbell, Johnson, Hensley, Briggs,
Watson, Gilmore, Reeves, Yarbrow**

Substituted for: House Bill No. 828

By Kumar, Whitson, Clemmons, Mannis, Ogles, Terry, Ramsey, Gloria
Johnson, Vaughan, Thompson, Lamberth, Faison, Sherrell, Jerry Sexton,
Hazlewood

AN ACT to amend Tennessee Code Annotated, Title 63 and Title 68, relative
to dementia education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

[68-1-141]

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 1, Part 1, is
amended by adding the following as a new section:

(a) By January 1, 2022, the department of health, in collaboration
with the bureau of TennCare, shall, as a part of its existing public
health programs and services, educate healthcare professionals and
public health practitioners on:

(1) The importance of risk reduction, early detection, and
timely diagnosis of cognitive impairment and dementia;

(2) The use of validated cognitive assessment tools; and

(3) Provision of effective care planning, including treatment
options, support and services, long-term care options, advanced
directives, and care coordination at all stages of dementia, including
appropriate counseling and referral.

(b) Using the State and Local Public Health Partnerships to
Address Dementia Roadmap from the centers for disease control and
prevention's Healthy Brain Initiative, the department of health, in
partnership with the commission on aging and disability, members of
the state Alzheimer's disease and related dementia advisory council,
and the Tennessee Dementia Friendly Communities, shall in its
existing relevant public health programs, including the Tennessee
Dementia Friendly Communities initiative, continue to incorporate
information on:

(1) Increasing understanding and awareness of Alzheimer's
disease and other dementias, including its links to chronic disease,
such as vascular risk factors;

(2) Early signs of Alzheimer's disease and other dementias
that should be discussed with healthcare professionals and the value
of early detection and timely diagnosis; and

PUBLIC CHAPTER NO. 114 (cont'd)

(3) Increasing data and surveillance, encouraging additional data analysis, and encouraging accurate reporting on death certificates.

(c) The department shall strive to provide uniform, consistent guidance in nonclinical terms, with an emphasis on cultural relevancy and health literacy, specifically targeting populations at higher risk for developing dementia in its public awareness and educational outreach programs.

[Effective date 4/13/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 115**SENATE BILL NO. 188****By Bowling, Gilmore**

Substituted for: House Bill No. 17

By Lamar, Hardaway, Potts, Ogles, Curcio, Travis, Love, Baum, Chism,
Farmer, Whitson, Hodges, Moon, Helton, Mannis, Beck, Parkinson, Harris,
Towns, Dixie, Camper, McKenzie, Stewart,

Freeman, Miller, Ramsey, Hakeem

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 11, Part 6,
relative to justifications excluding criminal responsibility.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

[39-11-611]

SECTION 1. Tennessee Code Annotated, Section 39-11-611(b), is amended
by adding the following language as a new subdivision:

(3) For purposes of this subsection (b), a person is not engaged
in conduct that would constitute a felony or Class A misdemeanor or
in a place where the person does not have a right to be if the person is
engaged in the activity or in the place due to the person's status as a
victim of human trafficking. The person must prove the person's status
as a victim of human trafficking by clear and convincing evidence.
The person may provide clear and convincing evidence of the person's
status as a victim of human trafficking through testimony.

[39-11-611]

SECTION 2. Tennessee Code Annotated, Section 39-11-611, is amended
by deleting subdivision (d)(3) and substituting instead the following:

(3)(A) Notwithstanding § 39-17-1322, the person using force
is engaged in conduct that would constitute a felony or Class A
misdemeanor or is using the dwelling, business, residence, or occupied
vehicle to further an unlawful activity;

(B) For purposes of subdivision (d)(3)(A), a person is
not engaged in conduct that would constitute a felony or Class A
misdemeanor or using a dwelling, business, residence, or occupied
vehicle to further unlawful activity if the person is engaged in the
activity or using the dwelling, business, residence, or occupied vehicle
due to the person's status as a victim of human trafficking. The person
must prove the person's status as a victim of human trafficking by clear
and convincing evidence. The person may provide clear and convincing
evidence of the person's status as a victim of human trafficking through
testimony; or

[39-11-611]

SECTION 3. Tennessee Code Annotated, Section 39-11-611(b), is amended by deleting the language “not engaged in unlawful activity” wherever it appears and substituting the language “not engaged in conduct that would constitute a felony or Class A misdemeanor”.

[Effective date 7/1/2021]

SECTION 4. This act takes effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 116**SENATE BILL NO. 203**

By Haile, Southerland, White, Kelsey, Powers, Reeves, Rose

Substituted for: House Bill No. 332

By Alexander, Faison, Halford, Lamberth, Weaver, Griffey, Tim Hicks,
Hazlewood

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 6, Part 30,
relative to student participation in 4-H.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

[49-6-3026]

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 30, is
amended by adding the following as a new section:

49-6-3026.

(a) A student who participates in an activity or program sponsored
by 4-H must be credited as present by the school in which the
student is enrolled in the same manner as an educational field trip.
Notwithstanding § 49-6-3022, a school principal, or the principal's
designee, shall not count a student absent for participating in an
activity or program sponsored by 4-H.

(b) Upon request from a school principal, or the principal's designee,
a 4-H agent shall provide documentation as proof of a student's
participation in an activity or program sponsored by 4-H.

(c) A student must have the opportunity to make up any school
work missed while the student was participating in an activity or
program sponsored by 4-H, and shall not have the student's class
grades adversely affected for lack of attendance or participation due to
the student's participation in an activity or program sponsored by 4-H.

(d) Notwithstanding subsection (a), a school principal, or the
principal's designee, shall not credit a student who participates in
an activity or program sponsored by 4-H as present if the student's
participation in an activity or program sponsored by 4-H occurs during:

(1) The schedule established by the commissioner of education
for the administration of the Tennessee comprehensive assessment
program (TCAP) tests; or

(2) Any period of time for which the student has been suspended,
expelled, or assigned to an alternative school or alternative program
under part 34 of this chapter if the student's suspension, expulsion,
or assignment to an alternative school or alternative program would
otherwise preclude the student from participating in an educational
field trip.

PUBLIC CHAPTER NO. 116 (cont'd)

[Effective date 4/13/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it, and applies to the 2021-2022 school year and each school year thereafter.

PUBLIC CHAPTER NO. 117**SENATE BILL NO. 216****By Massey**

Substituted for: House Bill No. 120

By Whitson, Thompson, Jernigan, Hardaway, Smith, Camper, Powell, Love,
Parkinson, Lamar, Helton, Beck, Gloria Johnson

AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 3 and Title
62, Chapter 4, relative to professions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

[62-3-110]

SECTION 1. Tennessee Code Annotated, Section 62-3-110(a)(3), is amended by adding the following as a new subdivision:

(C) The applicant successfully completed up to one (1) hour of online or in-person training, at no cost to the applicant, by a nonprofit anti-domestic violence organization recognized by the Tennessee Coalition to End Domestic Violence and Sexual Assault on domestic violence that focuses on how to recognize the signs of domestic violence, how to respond to these signs, and how to refer a client to resources for victims of domestic violence.

[62-3-110]

SECTION 2. Tennessee Code Annotated, Section 62-3-110(b), is amended by adding the following as a new subdivision:

(4) Successfully completed up to one (1) hour of online or in-person training, at no cost to the applicant, by a nonprofit anti-domestic violence organization recognized by the Tennessee Coalition to End Domestic Violence and Sexual Assault on domestic violence that focuses on how to recognize the signs of domestic violence, how to respond to these signs, and how to refer a client to resources for victims of domestic violence.

[62-3-114]

SECTION 3. Tennessee Code Annotated, Section 62-3-114, is amended by designating the existing language as subsection (a) and adding the following as a new subsection:

(b) The board shall not prohibit an applicant from receiving initial reciprocity based on the requirements of § 62-3-110(a)(3)(C), § 62-3-110(b)(4), § 62-3-119(b), or § 62-3-124(a)(3). However, the requirements of § 62-3-110(a)(3)(C), § 62-3-110(b)(4), § 62-3-119(b), or § 62-3-124(a)(3) must be completed before the applicant seeks to renew the certificate of registration.

PUBLIC CHAPTER NO. 117 (cont'd)**[62-3-115]**

SECTION 4. Tennessee Code Annotated, Section 62-3-115, is amended by designating the existing language as subsection (a) and adding the following as a new subsection:

(b) The board shall not prohibit an applicant from receiving initial reciprocity based on the requirements of § 62-3-110(b)(4) or § 62-3-119(b). However, the requirements of § 62-3-110(b)(4) or § 62-3-119(b) must be completed before the applicant seeks to renew the certificate of registration.

[62-3-119]

SECTION 5. Tennessee Code Annotated, Section 62-3-119, is amended by designating the existing language as subsection (a) and adding the following as a new subsection:

(b) A person who holds a certificate of registration under this chapter as of December 31, 2021, and who is renewing the certificate of registration pursuant to this section shall successfully complete by December 31, 2025, up to one (1) hour of online or in-person training, at no cost to the person, by a nonprofit anti-domestic violence organization recognized by the Tennessee Coalition to End Domestic Violence and Sexual Assault on domestic violence that focuses on how to recognize the signs of domestic violence, how to respond to these signs, and how to refer a client to resources for victims of domestic violence. If the person fails to complete the course, then the board shall render the certificate of registration invalid on that date until the person complies with this subsection (b).

[62-3-124]

SECTION 6. Tennessee Code Annotated, Section 62-3-124(a), is amended by adding the following as a new subdivision:

(3) Successfully completed, as part of the hours of instruction described in this subsection (a) or § 62-3-110, up to one (1) hour of online or in-person training, at no cost to the person, by a nonprofit anti-domestic violence organization recognized by the Tennessee Coalition to End Domestic Violence and Sexual Assault on domestic violence that focuses on how to recognize the signs of domestic violence, how to respond to these signs, and how to refer a client to resources for victims of domestic violence.

[62-3-131]

SECTION 7. Tennessee Code Annotated, Title 62, Chapter 3, is amended by adding the following as a new section:

62-3-131.

(a) A person who holds a certificate of registration under this chapter, and the employer of that person, who responds to signs of domestic violence with a client, refers a client to resources for victims of

PUBLIC CHAPTER NO. 117 (cont'd)

domestic violence, or fails to respond or refer is not civilly or criminally liable for those actions or inactions.

(b) A person who holds a certificate of registration under this chapter, and the employer of that person, who responds, refers, or fails to respond or refer as described in subsection (a) is not subject to the jurisdiction of any board under title 63 by those actions or inactions.

[62-3-101]

SECTION 8. Tennessee Code Annotated, Section 62-3-101, is amended by adding the following as a new subsection:

(c) The state board of cosmetology and barber examiners has full rights and access to any approved online training required by this chapter and is responsible for making available online all training required by this chapter.

[62-4-105]

SECTION 9. Tennessee Code Annotated, Section 62-4-105, is amended by adding the following as a new subsection:

(f) The state board of cosmetology and barber examiners has full rights and access to any approved online training required by this chapter and is responsible for making available online all training required by this chapter.

[62-4-110]

SECTION 10. Tennessee Code Annotated, Section 62-4-110(a), is amended by adding the following as a new subdivision:

(4) Satisfactory proof that the applicant successfully completed, as part of the hours of instruction described in subdivision (a)(3), up to one (1) hour of online or in-person training, at no cost to the applicant, by a nonprofit anti-domestic violence organization recognized by the Tennessee Coalition to End Domestic Violence and Sexual Assault on domestic violence that focuses on how to recognize the signs of domestic violence, how to respond to these signs, and how to refer a client to resources for victims of domestic violence.

[62-4-110]

SECTION 11. Tennessee Code Annotated, Section 62-4-110(b), is amended by adding the following as a new subdivision:

(3) Satisfactory proof that the applicant successfully completed, as part of the hours of instruction described in subdivision (b)(2), up to one (1) hour of online or in-person training, at no cost to the applicant, by a nonprofit anti-domestic violence organization recognized by the Tennessee Coalition to End Domestic Violence and Sexual Assault on domestic violence that focuses on how to recognize the signs of domestic violence, how to respond to these signs, and how to refer a client to resources for victims of domestic violence.

PUBLIC CHAPTER NO. 117 (cont'd)**[62-4-110]**

SECTION 12. Tennessee Code Annotated, Section 62-4-110(c), is amended by adding the following as a new subdivision:

(3) Satisfactory proof that the applicant successfully completed, as part of the hours of instruction described in subdivision (c)(2)(C), up to one (1) hour of online or in-person training, at no cost to the applicant, by a nonprofit anti-domestic violence organization recognized by the Tennessee Coalition to End Domestic Violence and Sexual Assault on domestic violence that focuses on how to recognize the signs of domestic violence, how to respond to these signs, and how to refer a client to resources for victims of domestic violence.

[62-4-110]

SECTION 13. Tennessee Code Annotated, Section 62-4-110(d), is amended by adding the following as a new subdivision:

(3) Satisfactory proof that the applicant successfully completed, as part of the hours of instruction described in subdivision (d)(2), up to one (1) hour of on line or in-person training, at no cost to the applicant, by a nonprofit anti-domestic violence organization recognized by the Tennessee Coalition to End Domestic Violence and Sexual Assault on domestic violence that focuses on how to recognize the signs of domestic violence, how to respond to these signs, and how to refer a client to resources for victims of domestic violence.

[62-4-110]

SECTION 14. Tennessee Code Annotated, Section 62-4-110(e), is amended by adding the following as a new subdivision:

(3) Satisfactory proof that the applicant successfully completed, as part of the hours of instruction described in subdivision (e)(2), up to one (1) hour of online or in-person training, at no cost to the applicant, by a nonprofit anti-domestic violence organization recognized by the Tennessee Coalition to End Domestic Violence and Sexual Assault on domestic violence that focuses on how to recognize the signs of domestic violence, how to respond to these signs, and how to refer a client to resources for victims of domestic violence.

[62-4-136]

SECTION 15. Tennessee Code Annotated, Title 62, Chapter 4, is amended by adding the following as a new section:

(a) A person licensed under this chapter, and the employer of that person, who responds to signs of domestic violence with a client, refers a client to resources for victims of domestic violence, or fails to respond or refer is not civilly or criminally liable for those actions or inactions.

(b) A person licensed under this chapter, and the employer of that person, who responds, refers, or fails to respond or refer as described in

PUBLIC CHAPTER NO. 117 (cont'd)

subsection (a) is not subject to the jurisdiction of any board under title 63 by those actions or inactions.

[62-4-117]

SECTION 16. Tennessee Code Annotated, Section 62-4-117, is amended by adding the following as a new subsection:

(g) A person who holds a license under this chapter as of December 31, 2021, and who is renewing the license pursuant to this section shall successfully complete by December 31, 2025, up to one (1) hour of online or in-person training, at no cost to the person, by a nonprofit anti-domestic violence organization recognized by the Tennessee Coalition to End Domestic Violence and Sexual Assault on domestic violence that focuses on how to recognize the signs of domestic violence, how to respond to these signs, and how to refer a client to resources for victims of domestic violence. If the person fails to complete the course, then the board shall render the license invalid on that date until the person complies with this subsection (g).

[62-4-116]

SECTION 17. Tennessee Code Annotated, Section 62-4-116, is amended by designating the existing language as subsection (a) and adding the following as a new subsection:

(b) The board shall not prohibit an applicant from receiving initial reciprocity based on the requirements of § 62-4-110(a)(4), (b)(3), (c)(3), (d)(3), or (e)(3), or § 62-4-117(9). However, the applicant must complete the requirements of §§ 62-4-110(a)(4), (b)(3), (c)(3), (d)(3), and (e)(3), and 62-4-117(9) before the board may grant the license.

[SECTION 18. The board of cosmetology and barber examiners shall provide written notice of the requirements of this act to all applicable licensees and schools under the jurisdiction of the board through the board's website, e-blasts, print mailings, and license renewal communications.]

[SECTION 19. The board of cosmetology and barber examiners may promulgate rules to effectuate the purposes of this act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.]

[Effective date 1/1/2022]

SECTION 20. For the purpose of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect January 1, 2022, the public welfare requiring it.

PUBLIC CHAPTER NO. 118**SENATE BILL NO. 254****By Pody, Hensley, Rose**

Substituted for: House Bill No. 541

By Powers

AN ACT to amend Tennessee Code Annotated, Section 4-1-303, relative to an official state poem of Tennessee.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-1-303]

SECTION 1. Tennessee Code Annotated, Section 4-1-303, is amended by adding the following as a new subsection:

(c) The poem entitled, "My Beloved Tennessee" by Marlene Tidwell, is designated and adopted as an official state poem for this state. The poem reads as follows:

My thoughts wander on your path again Captivated by the beauty
of rolling hills That rise above a road that bends, As dusk spreads mist
across the fields. I heard the piping of the morning lay And gazed on
scenes from yesteryears, When open come the gates of May, And in
purple ruffles the Iris appears. Cherished memories thou doth hold,
Sweet home in Tennessee, to you I hope To come before the winds grow
cold.

Nestled in vales, quaint barns of old Stood in wait for the gathering
harvest Scattered across autumn fields of gold, And chapels adorned
with steeples fair Rang bells against the morning cold Calling the
pleasant and faithful there To come and nourish thirsting souls. Your
faith has kept your pillars strong, My heritage from days of old, How
blessed am I to call you home.

Your vaulted domes, in blue mist crowned, Listen to babbling
brooks shower chambers Beneath, rich treasures there are found.
From afar they come to see your sights, And hear your song, from
Memphis to Bristol, your cities shine bright. For in distant lands your
light has shown, Oh Valiant Volunteer, you gave hope To those you
had never known. Come to me in my dreams tonight Oh beloved home
in Tennessee, When I wake with morning's light, May I again be near
to thee.

[Effective date 4/13/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 119**SENATE BILL NO. 309****By Briggs**

Substituted for: House Bill No. 403

By Garringer, White

AN ACT to amend Tennessee Code Annotated, Section 36-3-301, relative to marriage solemnization.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[36-3-301]

SECTION 1. Tennessee Code Annotated, Section 36-3-301, is amended by deleting the language “members of the general assembly” and substituting the language “members and former members of the general assembly”.

[36-3-301]

SECTION 2. Tennessee Code Annotated, Section 36-3-301(1), is amended by deleting the subsection and substituting instead the following:

(I) In order to solemnize the rite of matrimony pursuant to subdivision (a)(1):

(1) A member of the general assembly must first opt in by filing notice of the member’s intention to solemnize the rite of matrimony with the office of vital records; and

(2) A former member of the general assembly must have filed notice pursuant to subdivision (1)(1) while serving in the general assembly.

[Effective date 4/13/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 120**SENATE BILL NO. 322****By Gardenhire**

Substituted for: House Bill No. 378

By Crawford

AN ACT to amend Tennessee Code Annotated, Title 8 and Title 49, relative to higher education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[49-7-173]

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following as a new section:

(a) An act of the general assembly enacted after January 1, 2021, that mandates a discount or waiver of the tuition or fees charged at public institutions of higher education in this state is unenforceable against an institution affected by the act in any fiscal year for which the general assembly fails to appropriate a sum sufficient to fully fund the discount or waiver program at the institution.

(b) If the general assembly fails to appropriate a sum sufficient to fully fund a discount or waiver program created by an act of the general assembly enacted after January 1, 2021, at a public institution of higher education in a fiscal year, then that institution is not required to make the discount or waiver available to students in the academic year for which the institution did not receive sufficient funding.

(c) This section does not affect:

(1) An act of the general assembly that mandates a discount or waiver of the tuition or fees charged at public institutions of higher education that was enacted on or before January 1, 2021; or

(2) A scholarship, grant, or financial aid program.

(d) The 112th general assembly recognizes that Article II, § 12 of the Constitution of Tennessee prevents this or another general assembly from statutorily binding a future general assembly. Therefore, this general assembly acknowledges that this section is legally binding only for the duration of the 112th general assembly. However, each future general assembly is discouraged from enacting legislation after January 1, 2023, that mandates a discount or waiver of the tuition or fees charged at public institutions of higher education unless the general assembly annually appropriates a sum sufficient to fully fund the discount or waiver program at each affected institution.

[49-7-174]

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following as a new section:

(a) As used in this section, “state-mandated discount or waiver program” means a discount or waiver of the tuition or fees charged at public institutions of higher education in this state, as required by an act of the general assembly.

(b) Each public institution of higher education shall annually report:

(1) The costs to the institution of providing each state-mandated discount or waiver program;

(2) The number of students at the institution participating in each state-mandated discount or waiver program; and

(3) The information described in subdivisions (b)(1) and (b)(2) projected over the next ten (10) fiscal years.

(c) The report must be submitted to the Tennessee higher education commission, the office of legislative budget analysis, and the chairs of the education committees of the senate and the house of representatives by March 1, 2022, and by each March 1 thereafter. A copy of the report must be filed with the legislative reference and law library and with the speaker of the house of representatives under § 3-1-123.

[Effective date 4/13/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 121**SENATE BILL NO. 333****By Yager**

Substituted for: House Bill No. 408

By Keisling

AN ACT to amend Chapter 225 of the Public Acts of 1959, as amended by Chapter 237 of the Public Acts of 1977, Chapter 176 of the Public Acts of 1993, and any other acts amendatory thereto, relative to the Citizens Gas Utility District of Scott County, Tennessee, and Morgan County, Tennessee.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Section 2 of Chapter 225 of the Public Acts of 1959, as amended by Chapter 237 of the Public Acts of 1977, Chapter 176 of the Public Acts of 1993, and any other acts amendatory thereto, is amended by deleting the language:

Representation on the board of trustees shall be apportioned so that, at all times, three (3) of the trustees shall be residents of Scott County and two (2) of the trustees shall be residents of Morgan County. Election of trustees shall be conducted so that the consumer owners of the district who reside in Scott County shall vote on each trustee to be elected from Scott County and the consumer owners of the district who reside in Morgan County shall vote on each trustee to be elected from Morgan County.

and substituting the following:

Beginning with the August 2025 election of the Scott County seat on the governing body of the Citizens Gas Utility District of Scott and Morgan counties, representation of the board of trustees shall be apportioned so that, at all times, two (2) of the trustees shall be residents of Scott County, two (2) of the trustees shall be residents of Morgan County, and one (1) of the trustees shall serve as an at large elected member who must reside in either Scott or Morgan County. The elected position of at large member shall appear on the Scott and Morgan County ballots as "at large" candidates, to be voted for by District customers in Scott and Morgan counties. The August 2025 trustee election in Scott County shall establish the first and permanent "at large" trustee which shall be for a five (5) year term like other trustee offices. District customers shall continue to vote only within the geographical boundaries of their county residences or entity locations as evidenced by their meter registrations.

The board of trustees of the Citizens Gas Utility District of Scott and Morgan counties may vote to approve, as necessary or appropriate,

PUBLIC CHAPTER NO. 121 (cont'd)

through the establishment of its bylaws the collateral and logistical procedures necessary or appropriate to facilitate the operative details of conducting a public election for the "at large" commissioner seat, as it is authorized to do in all other trustee elections.

Such bylaws may contain, if deemed by the board of trustees to be legally necessary or appropriate, specific enactments to establish and clarify that all District customers residing in or having their entity located within the geographical boundaries of Fentress County and who are approved for service by the District are authorized to vote exclusively in Morgan County board of trustee elections and in at large trustee elections. However, such District customers residing in or having their entity located within the geographical boundaries of Fentress County shall not be qualified or authorized to run for election as a member of the board of trustees for the District.

[Effective date 4/13/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 122**SENATE BILL NO. 345****By Yager, Bowling, Jackson, Reeves**

Substituted for: House Bill No. 461

By Reedy

AN ACT to amend Tennessee Code Annotated, Title 5; Title 7; Title 56; Title 68 and Title 71, relative to an assessment on ground ambulance service providers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[71-5-1509]

SECTION 1. Tennessee Code Annotated, Section 71-5-1509(d), is amended by deleting the subsection and substituting the following:

(d) The ground ambulance provider assessment established by this part terminates on June 30, 2022.

[71-5-1504]

SECTION 2. Tennessee Code Annotated, Section 71-5-1504(c), is amended by deleting the language "calendar year 2019" and substituting the language "calendar year 2020".

[Effective date 4/13/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 123**SENATE BILL NO. 349****By Yager**

Substituted for: House Bill No. 431

By Windle

AN ACT to amend Tennessee Code Annotated, Section 55-8-185, relative to operation of off-highway vehicles on certain highways.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[55-8-185]

SECTION 1. Tennessee Code Annotated, Section 55-8-185(c)(1), is amended by adding the following as new subdivisions:

() Old Burrville Road, which is approximately one-half (.5) mile in length, within the jurisdiction of the City of Sunbright in Morgan County;

() Dyna Tex Road, which is approximately one (1) mile in length, within the jurisdiction of the City of Sunbright in Morgan County; and

() Mill Creek Road, the portion of which is within the jurisdiction of the City of Sunbright in Morgan County;

[Effective date 4/13/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 124**SENATE BILL NO. 478****By Haile, Kyle, Rose, Reeves**

Substituted for: House Bill No. 7 43

By Vaughan, Ramsey, Kumar, Smith

AN ACT to amend Tennessee Code Annotated, Title 4; Title 63 and Title 68,
relative to home health service.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

[68-11-201]

SECTION 1. Tennessee Code Annotated, Section 68-11-201(20), is amended by deleting the language “recorded by a physician” and substituting the language “recorded by a physician, advanced practice registered nurse, or physician assistant”.

[68-11-260]

SECTION 2. Tennessee Code Annotated, Section 68-11-260, is amended by deleting the word “physician” and substituting the language “physician, advanced practice registered nurse, or physician assistant”.

[Effective date 4/13/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it, and applies to orders recorded on or after the effective date of this act.

PUBLIC CHAPTER NO. 125**SENATE BILL NO. 479****By Haile, Bowling, White, Akbari, Gardenhire, Powers**

Substituted for: House Bill No. 533

By Weaver, Howell, Smith, Hulsey, Carr, Reedy, Rudder, Moody, White,
Warner, Faison, Casada, Cepicky, Ragan, Haston, Dixie, McKenzie,
Parkinson, Terry, Leatherwood, Calfee, Littleton, Lynn, Curcio

AN ACT to amend Tennessee Code Annotated, Title 49, relative to licensure.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:**[49-5-108]**

SECTION 1. Tennessee Code Annotated, Section 49-5-108(c), is amended
by adding the following language as a new subdivision:

(6)(A) When issuing a license to teach in the public schools to an individual who possesses an active teaching license in another state, the state board of education shall issue a teaching license that is equivalent to the teaching license that the individual possesses in the other state, if that state has a reciprocal agreement with the state board of education pursuant to § 49-5-109.

(B) If an individual applies for a supervisor's or principal's license, and the individual possesses an active supervisor's or principal's license in another state that has entered into a reciprocal agreement with the state board pursuant to § 49-5-109, then the department of education shall issue the individual a supervisor's or principal's license that is equivalent to the license that the individual possesses in the other state; provided, that the individual served as a supervisor or principal in the other state for no less than one (1) school year.

(C) When issuing a supervisor's, principal's, or public school teacher's license to an individual who is a military spouse and who possesses an active supervisor's, principal's, or public school teacher's license in another state, the department of education shall issue a supervisor's, principal's, or public school teacher's license that is equivalent to the license that the individual possesses in the other state upon the department's receipt of documentation from the individual evidencing the individual's active military dependent status.

(D) The department of education shall submit a report on the effectiveness of supervisors, principals, and public school teachers who obtained a Tennessee educator license through an out-of-state pathway compared with the effectiveness of other supervisors, principals, and public school teachers licensed in this state to the education committee of the senate and the education instruction committee of the house of representatives by July 31, 2022, and by July 31 each year thereafter.

PUBLIC CHAPTER NO. 125 (cont'd)

The annual report required under this subdivision (c)(6)(D) must be posted on the department's website.

[49-5-108]

SECTION 2. Tennessee Code Annotated, Section 49-5-108(c)(5)(C), is amended by adding the following language at the end of the subdivision:

If the supervisor, principal, or public school teacher did not receive an overall performance effectiveness level during one (1) or both of the two (2) years immediately following the issuance of the individual's initial license, then the individual may choose to use the individual's most recent overall performance effectiveness level that is available to demonstrate an overall performance effectiveness level of "above expectations" or "significantly above expectations" for purposes of this subdivision (c)(5)(C), or the supervisor, principal, or public school teacher may request that the director of schools or the director of the public charter school submit a recommendation to the department of education on the supervisor's, principal's, or public school teacher's effectiveness. If a director of schools or the director of a public charter school submits a recommendation to the department attesting to the effectiveness of a supervisor, principal, or public school teacher, then the commissioner shall consider the requirements of this subdivision (c)(5)(C) met, and shall not require the supervisor, principal, or public school teacher to take an assessment to advance or renew a license.

[49-5-108]

SECTION 3. The state board of education may promulgate rules necessary to effectuate the purpose of this act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5.

[Effective date 4/13/2021]

SECTION 4. Section 1 of this act takes effect July 1, 2021, the public welfare requiring it, and applies to educator licenses issued on or after that date. Sections 2 and 3 of this act take effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 126

SENATE BILL NO. 495

By Pody

Substituted for: House Bill No. 398

By Boyd

AN ACT to amend Tennessee Code Annotated, Section 68-221-618, relative to per diem payment for board members of water and wastewater treatment authorities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[68-221-618]

SECTION 1. Tennessee Code Annotated, Section 68-221-618, is amended by deleting the language “one hundred dollars (\$100)” and substituting instead the language “three hundred dollars (\$300)”.

[Effective date 4/13/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 127**SENATE BILL NO. 537****By Jackson**

Substituted for: House Bill No. 655

By Tim Hicks, Hazlewood

AN ACT to amend Tennessee Code Annotated, Section 6-54-903 and Section 7-82-309, relative to travel and expense reimbursement policies.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[6-54-903]

SECTION 1. Tennessee Code Annotated, Section 6-54-903, is amended by deleting the section and substituting the following:

All municipal travel and expense reimbursement policies, and any amendments to the policies, must be made available for review and audit by the office of the comptroller of the treasury or the comptroller of the treasury's designee.

[7-82-309]

SECTION 2. Tennessee Code Annotated, Section 7-82-309(a)(6)(E), is amended by deleting the subdivision and substituting the following:

All utility district travel and expense reimbursement policies, and any amendments to the policies, must be made available for review and audit by the comptroller of the treasury or the comptroller of the treasury's designee;

[Effective date 4/13/2021]

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 128**SENATE BILL NO. 539****By Watson**

Substituted for: House Bill No. 657

By Baum

AN ACT to amend Tennessee Code Annotated, Title 7; Title 9 and Section 12-10-116, relative to public finance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[7-34-111]

SECTION 1. Tennessee Code Annotated, Section 7-34-111(b), is amended by deleting the subsection and substituting instead the following:

(b) Such notes must be payable not later than five (5) years from the date of the notes, and must be sold in such manner and upon such terms and conditions as may be determined by the governing body, board, or commission issuing the notes. The notes shall not be issued without first being approved by the comptroller of the treasury or the comptroller's designee. If the revenues of such system are insufficient to pay all such notes at maturity, any unpaid notes may be renewed one (1) time for a period not to exceed one (1) year or may be retired with funding bonds issued pursuant to the Cash Basis Law of 1937, compiled in title 9, chapter 11, or may be otherwise liquidated as approved by the comptroller of the treasury or the comptroller's designee.

[7-86-114]

SECTION 2. Tennessee Code Annotated, Section 7-86-114, is amended by adding the following new subsection:

(h) Any provision of this section related to the review or approval of any bond or note issued by the comptroller of the treasury or the comptroller's designee, or other state agency, does not apply when the bond or bonds or other evidence of indebtedness of the district are to be purchased or the loan is to be made by the farmers home administration or any other direct lending department of the government of the United States.

[9-21-105]

SECTION 3. Tennessee Code Annotated, Section 9-21-105(4), is amended by deleting the subdivision and substituting instead the following:

(4) "Certain unfunded pension obligations" means pension benefits for past service of employees of a local government whose employment results from the local government's assumption of governmental responsibilities of another local government;

PUBLIC CHAPTER NO. 128 (cont'd)

[9-21-105]

SECTION 4. Tennessee Code Annotated, Section 9-21-105, is amended by deleting subdivisions (21)-(23) and substituting instead the following:

(21)(A) "Public works project" includes any one (1) or any combination of the following: acquisitions of land for the purpose of providing or preserving open land; airports; alleys; ambulances; auditoriums; bridges; city and town halls; convention and event centers; corrective, detention, and penal facilities, including, but not limited to, jails and transition centers; courthouses; culverts; curbs; dispensaries; drainage systems, including storm water sewers and drains; electric plants and systems; equipment, including vehicles; technology equipment and related software used for local government purposes; expositions; facilities for persons with disabilities; facilities for the indigent; fairgrounds and fairground facilities; fire department equipment and buildings; fire alarm systems; flood control; garbage collection and disposal systems; gas and natural gas systems and storage facilities; greenways; heat plants and systems; harbor and riverfront improvements; health centers and clinics, including medical and mental health centers and clinics; highways; highway and street equipment; hospitals; hotels and supporting or incidental facilities built by local governments that are built adjacent to and as a supporting facility of civic or convention centers located in municipalities that have created a central business improvement district under the Central Business Improvement District Act of 1971, compiled in title 7, chapter 84; improvements made pursuant to a plan of improvement for a central business improvement district created pursuant to the Central Business Improvement District Act of 1971; law enforcement and emergency services equipment; levees; libraries; markets; memorials; museums; nursing homes; parks; parking facilities; parkways; playgrounds; plazas; port facilities; docks and dock facilities, including any terminal storage and transportation facilities incident thereto; public art; public buildings; preserves; railroads, including the extension of railroads and railway beltlines and switches; reclamation of land; recreation centers and facilities; reservoirs; rights-of-way; river and navigation improvements; roads; schools; transportation equipment for schools; sewers; sewage and waste water systems, including, but not limited to, collection, drainage, treatment, and disposal systems; ship canals; sidewalks; stadiums; streets; swimming pools; thermal transfer generating plants or distribution systems or both; tunnels; viaducts; voting machines; water treatment distribution and storage systems; wharves; and zoos;

(B) "Public works project" also includes:

(i) "Business park," which includes lands and rights, easements and franchises relating thereto, and may include roads and streets, water, sewer, electric and other utilities, landscaping and related elements as required for the orderly development and use of corporate or professional office space by one (1) or more commercial,

PUBLIC CHAPTER NO. 128 (cont'd)

financial or service business, and such appurtenant land for necessary incidental use. "Business park" does not include a retail operation except for an incidental retail use. A "business park" shall contain not less than five (5) acres of land. The building finance committee in the industrial development division of the department of economic and community development is authorized and empowered to determine whether a local government shall have the right to engage in any or all of the rights and privileges accompanying such a public works project. Before a local government may undertake the financing of such a public works project, it shall apply to the committee for a certificate of public purpose and necessity. The committee shall issue such a certificate once it is affirmatively determined that:

(a) There are adequate property values and suitable financial conditions so that the total bonded indebtedness of the local government, solely for this authorized purpose and those other purposes authorized by title 7, chapter 55 and title 13, chapter 16, shall not exceed ten percent (10%) of the total assessed valuation of all the property in the local government ascertained by the last completed assessment at the time of the issuance of such bonds; and

(b) The project is well conceived, has a reasonable prospect of success, will provide economic development and employment, will tend to encourage businesses to locate there and will not become a burden upon the taxpayers of the local government;

(ii) "Industrial park," which includes lands, rights, easements and franchises relating thereto, and may include adequate roads and streets, water and sewer facilities, utilities and docks and terminals. Any of the foregoing improvements which are to be located within the geographic boundaries of the industrial park may only be financed after compliance with title 13, chapter 16, part 2;

(iii) "Urban renewal project" which means the same as such projects which are defined in §§ 13-20-209 -- 13-20-215. Any local government is hereby authorized to contribute money, property, and municipal services to any public agency engaged in the development of urban renewal projects in that local government;

(iv) "Urban transit facility" which includes any or all real and personal property needed to provide public passenger transportation by means of street railway, electric railway, incline railroad, trolley coach, bus, motor coach, or any combination thereof, including terminal, maintenance and storage facility, whether owned and operated by a local government or owned by a local government and leased to private operators, all of which are hereby found and determined to be in the public interest and a proper public purpose;

(v) Facilities for the storage and maintenance of any of the items of equipment which constitute public works projects; and

(vi) Facilities or capital expenditures paid or incurred with respect to property located in a "recovery zone," as defined in § 1400U-1(b) of the Internal Revenue Code of 1986, codified in 26 U.S.C.

PUBLIC CHAPTER NO. 128 (cont'd)

§ 1400U-1(b), that are made for a “qualified economic development purpose,” as defined in § 1400U-2(c) of the Internal Revenue Code of 1986, codified in 26 U.S.C. § 1400U-2(c);

(vii) Facilities or expenditures paid or incurred for “qualified conservation purposes,” as defined in § 54D(f) of the Internal Revenue Code of 1986, codified in 26 U.S.C. § 54D(f), in connection with the issuance of “qualified energy conservation bonds,” as defined in § 54D of the Internal Revenue Code of 1986, codified in 26 U.S.C. § 54D;

(viii) All property real and personal, appurtenant thereto or connected with any public works project, work or undertaking and the existing public works project, work or undertaking, if any, to which such public works project, work or undertaking is an extension, addition, betterment or improvement; and

(ix) Facilities or capital expenditures paid or incurred with respect to development of affordable housing or workforce housing in a county having a metropolitan form of government with a population of not less than six hundred thousand (600,000), according to the 2010 federal census or any subsequent federal census, including expenditures related to a housing trust fund established in accordance with title 7, chapter 8 or title 13, chapter 23, part 5. For purposes of this subdivision (21)(B)(ix), only local governments within which the affordable or workforce housing is located are authorized to issue debt or borrow money, and in no event, shall the credit of any county, city, or town be given or loaned to or in aid of any person, company, association, or corporation, within the meaning of the Constitution of Tennessee, Article II, § 29, without first complying with the applicable requirements of the Constitution of Tennessee, Article II, § 29;

(C) This enumeration does not exclude any other project for the benefit of the people at large of any local government where any state or federal agency will match the funds of the local government with grants-in-aid or gratuities to subsidize or assist the development of a public works project;

(D) Notwithstanding subdivision (21)(B)(i), a certificate of public purpose and necessity shall not be required for a public works project of a local government with a population of not less than three hundred thousand (300,000), according to the 2000 federal census or any subsequent federal census. The total pledge of full faith and credit of any such local government related to the project shall not exceed ten percent (10%) of the total assessed valuation of all property in the local government, ascertained by the last completed assessment at the time of issuance of the obligations. In any resolution pledging the full faith and credit and unlimited taxing power of any such local government to secure any obligations related to a public works project, the governing body of the local government shall state that the project being considered is well conceived, has a reasonable prospect for success, will

PUBLIC CHAPTER NO. 128 (cont'd)

provide proper economic development and employment, and will not likely become a burden on the taxpayers of the local government;

(22) "Refinancing" means funding, refunding, paying, or discharging, by means of refunding bonds or the proceeds received from the sale thereof, all or any part of any bonds, notes, or other obligations heretofore or hereafter issued or lawfully assumed and payable solely from all or any part of the revenues of one (1) or more enterprises, or from a combination of such revenues and taxes, except notes issued in anticipation of bonds;

(23) "Refunding bonds" means bonds issued to refund all or any part of bonds, notes, or other obligations, except notes issued in anticipation of bonds, heretofore or hereafter issued or lawfully assumed by a local government pursuant to this chapter, or any other provision of this code or any other general or special law;

[9-21-105]

SECTION 5. Tennessee Code Annotated, Section 9-21-105, is amended by adding the following as a new subdivision (17) and renumbering existing subdivision (17) and remaining subdivisions accordingly:

(17) "Mandated project" means a public works project that a local government is required by a court order or other governmental mandate to construct as determined by the local government with the approval of the comptroller of the treasury or the comptroller's designee;

[9-21-127]

SECTION 6. Tennessee Code Annotated, Section 9-21-127, is amended by deleting subsection (b).

[9-21-132]

SECTION 7. Tennessee Code Annotated, Section 9-21-132, is amended by deleting subsections (a) and (b).

[9-21-134]

SECTION 8. Tennessee Code Annotated, Section 9-21-134, is amended by deleting the section and substituting instead the following:

(a) In addition to the definitions applicable generally to this chapter, the following definitions are applicable to this section only:

(1) "Advisor" means a municipal advisor, financial advisor, swap advisor, or program administrator, with respect to a finance transaction, whether or not such title is used;

(2) "Costs" related to a finance transaction may include, but are not limited to, fees and expenses of advisors, underwriters, placement agents, counterparties, bond and other counsel, paying agents, registrars, trustees, escrow agents, verification agents, credit

PUBLIC CHAPTER NO. 128 (cont'd)

enhancement and liquidity providers, remarketing and auction agents, rating agencies, publishing, and other similar fees and expenses, whether or not payable at issuance. "Cost" may include recurring and nonrecurring fees and expenses occurring during the life of the transaction, debt service payments, including interest, and any payments made to a counterparty;

(3) "Event of default" means a default, event of acceleration, termination event, modification of terms, or other similar event under the terms of a financial obligation of a public entity, any of which reflect financial difficulties of the public entity;

(4) "Finance transaction" means a transaction in which a public entity issues, incurs, executes, or assumes a financial obligation;

(5) "Financial obligation" has the same meaning as is given to such term in 17 CFR 240.15c2-12 under the Securities and Exchange Act of 1934 or any successor rule;

(6) "Public entity" means the state, a state agency, a local government, a local government instrumentality, or any other authority, board, district, instrumentality, or entity created by the state, a state agency, local government, a local government instrumentality, or combination thereof;

(7) "Public finance professional" means an advisor, underwriter, placement agent, counterparty, bond counsel, issuer's counsel, or other person or entity advising the public entity with respect to a finance transaction or offering to provide professional services with respect to a finance transaction; and

(8) "State funding board" means the state funding board, created pursuant to chapter 9 of this title.

(b) The state funding board may develop model finance transaction policies for use by public entities, including any exemptions deemed necessary or appropriate from filing requirements.

(c)(1) The board shall determine the information to be disclosed pursuant to this section, including:

(A) A brief description of the finance transaction;

(B) The issuance, continuing, and one-time costs of the finance transaction;

(C) A brief description of any continuing disclosure obligations with respect to the finance transaction;

(D) A copy of the offering document, if any; and

(E) Such other information and in such manner as may be required by the board.

(2) Not later than forty-five (45) days following the issuance, reissuance, incurrence, execution, or assumption of a finance transaction, the public entity shall submit, or cause to be submitted, the information pursuant to subdivision (c)(1) to the governing body of the public entity, with a copy to the comptroller of the treasury or the

PUBLIC CHAPTER NO. 128 (cont'd)

comptroller's designee. If an open meeting of the governing body is not scheduled within the forty-five-day period, then the public entity shall give a copy to each member of the body within such period and present the information in subdivision (c)(1) to the body at the next scheduled meeting.

(3) The state funding board shall require public entities to timely comply with continuing disclosure obligations, if applicable, to disclose financial obligations and events of default on the Electronic Municipal Market Access (EMMA) website of the Municipal Securities Rulemaking Board (MSRB), and for those public entities which are not subject to such MSRB obligations, to disclose any event of default to the comptroller of the treasury or the comptroller's designee within ten (10) business days, in accordance with guidelines approved by the board.

(d) Upon discovery by the public entity of a failure to comply with the requirements of this section, the public entity shall immediately notify the comptroller of the treasury or the comptroller's designee and make a late filing of such information to the EMMA website or the comptroller of the treasury, as applicable. In addition, upon discovery by the comptroller of the treasury or the comptroller's designee of an omission or error or filing failure, the comptroller of the treasury or the comptroller's designee shall notify the public entity of such noncompliance. The public entity shall submit the required information, along with an explanation for the noncompliance, within fifteen (15) days following its discovery or notice by the comptroller of the treasury or the comptroller's designee.

[9-21-205]

SECTION 9. Tennessee Code Annotated, Section 9-21-205, is amended by deleting the section and substituting instead the following:

(a) Prior to the issuance of general obligation bonds pursuant to this part and part 1 of this chapter, the governing body of the local government shall adopt a resolution (herein referred to as the "initial resolution") determining to issue the general obligation bonds. The resolution must state in substance:

(1) The amount or maximum amount of general obligation bonds to be issued;

(2) The public works project or projects for which the general obligation bonds are to be issued;

(3) The rate or maximum rate of interest which the general obligation bonds are to bear; and

(4) A brief concise statement that the general obligation bonds will be payable:

(A) From ad valorem taxes levied upon all the taxable property in the local government or a portion of the local government,

PUBLIC CHAPTER NO. 128 (cont'd)

if applicable, and, if the latter, then a brief statement or description of such portion of the local government;

(B) From revenues and, in the event of a deficiency in such revenues, from taxes; or

(C) From taxes, and additionally secured by a pledge of revenues.

(b) Notwithstanding subsection (a), the governing body of the local government is not required to adopt an initial resolution for general obligation bonds if the public works project for which the bonds are being issued is a mandated project, and the governing body of a county is not required to adopt an initial resolution for general obligation bonds if the public works project for which the bonds are being issued is a school project.

[9-21-408]

SECTION 10. Tennessee Code Annotated, Section 9-21-408, is amended by deleting the section and substituting instead the following:

(a) Local governments may make internal loans in accordance with procedures for issuance of notes or bonds in part 5, 6, 7, or 8 of this chapter.

(b) Local governments may make internal loans in accordance with the procedures of § 9-21-604(b) of all funds derived from the sale of any Tennessee private act hospital established pursuant to private acts of the state and the Private Act Hospital Authority Act of 1996, compiled in title 7, chapter 57, part 6. This section does not authorize the expenditure of funds derived from the sale of a private act hospital for any purpose contrary to law or applicable court order.

(c) Guidelines for internal loans for the purposes of this section must be provided by the comptroller of the treasury or the comptroller's designee as authorized in § 4-3-305.

(d) Local governments that internally lend restricted monies shall ensure interest is paid for the use of internal monies. At a minimum, the interest rate must be the highest rate currently being earned on other investments, excluding pension investments. If there are no applicable investments, the interest rate must be the amount that could be earned for deposits in the local government investment pool administered by the state department of treasury.

[9-21-601]

SECTION 11. Tennessee Code Annotated, Section 9-21-601, is amended by deleting the section and substituting instead the following:

(a) The governing body of a local government acting by resolution may issue and sell interest-bearing capital outlay notes for all purposes for which bonds can be legally authorized and issued by a local government for public works projects as defined in § 9-21-105 and for property valuation, tax assessment, and tax equalization programs.

PUBLIC CHAPTER NO. 128 (cont'd)

(b)(1) The sale of all interest-bearing capital outlay notes must first be approved by the comptroller of the treasury or the comptroller's designee. In order to obtain such approval, the local government shall submit to the comptroller of the treasury or the comptroller's designee a copy of the proposed resolution or resolution authorizing the notes; a copy of the proposed disclosure statement, if any; a statement showing the estimated annual principal and interest requirements for the notes; a detailed statement showing the estimated cost of issuance, which must include all amounts that the local government would be required to report under § 9-21-134; and a list of the projects to be financed together with any other information deemed pertinent to the note issue by the local government. Based upon the information submitted and any additional information deemed pertinent by the local government, the local government shall state and demonstrate in its request for approval that the proposed sale is feasible, that the proposed sale is in the best interest of the local government, and that the local government is able to amortize the proposed indebtedness, together with all other obligations of the local government then outstanding.

(2) The state funding board may establish guidelines to assist the comptroller of the treasury or the comptroller's designee in reviewing applications submitted by the local government. The guidelines, if any, must be made available to the local government upon request to the comptroller of the treasury or the comptroller's designee.

(3) The comptroller of the treasury or the comptroller's designee shall notify the governing body of the local government of the comptroller of the treasury's or the comptroller's designee's approval or disapproval within ten (10) days from the date that all required information is received by the comptroller of the treasury or the comptroller's designee. If the comptroller of the treasury or the comptroller's designee approves a sale for the capital outlay notes or if the comptroller of the treasury or the comptroller's designee fails to act within such time, then the local government may proceed to sell the notes in that manner.

(4) In determining whether to approve the sale of capital outlay notes, the comptroller of the treasury or the comptroller's designee shall consider whether the issuance of the capital outlay notes, as compared to the issuance of general obligation bonds, is in the best interest of the local government. The comptroller or the comptroller's designee shall not approve the sale of any capital outlay notes if the comptroller or the comptroller's designee determines that the reasonably expected weighted average life of the public works project proposed to be financed materially exceeds the weighted average maturity of the capital outlay notes proposed to be issued and that the public works project should be financed with general obligation bonds.

PUBLIC CHAPTER NO. 128 (cont'd)

[9-21-602]

SECTION 12. Tennessee Code Annotated, Section 9-21-602, is amended by deleting the section and substituting instead the following:

(a) Capital outlay notes must be sold for not less than ninety-nine percent (99%) of the par value thereof and accrued interest as the governing body of the local government may direct. Capital outlay notes may be sold in one (1) or more series; may bear such date or dates; may bear interest at such rate or rates, which may vary from time to time; may be payable at such time or times; may be in such denomination or denominations; may be in such form, either coupon or registered; may be payable at such place or places; may be executed in such manner; may be payable in such medium of payment; may be subject to such terms of redemption, without a premium or, for notes sold for not less than the par value thereof and accrued interest, without or with a premium of not exceeding one percent (1%) of the principal amount thereof, all as may be provided by resolution of the governing body of the local government.

(b) The weighted average maturity of capital outlay notes issued pursuant to this part and parts 1 and 4 of this chapter must not exceed the reasonably expected weighted average life of the project being financed as stated in the resolution authorizing the capital outlay notes. An erroneous estimate of the reasonably expected weighted average life of the project must in no way affect the validity of such notes.

[9-21-604]

SECTION 13. Tennessee Code Annotated, Section 9-21-604, is amended by deleting the section and substituting instead the following:

(a)(1) Capital outlay notes issued pursuant to this section may be issued for a period not to exceed the end of the twelfth fiscal year following the fiscal year in which the notes were issued. The repayment must be in a manner that:

(A) An equal amount of principal is paid in each fiscal year that the capital outlay notes are outstanding after the first fiscal year in which the notes are issued;

(B) Level debt service, as described in subdivision (a)(2), is paid in each fiscal year that the capital outlay notes are outstanding after the first fiscal year in which the notes are issued; or

(C) The debt service is paid on the capital outlay notes as approved by the comptroller or the comptroller's designee.

(2) The resolution authorizing any such issue of notes must provide for the principal of the notes to be paid consistent with the requirements of subdivision (a)(1), either by maturity or by mandatory redemption. The resolution authorizing such notes may provide that the notes must be subject to redemption prior to maturity at the option of the local government. Debt service payable with respect to capital

PUBLIC CHAPTER NO. 128 (cont'd)

outlay notes is level as long as the debt service payable in any fiscal year other than the fiscal year in which the notes are issued does not exceed the average debt service payable in each fiscal year other than the fiscal year in which the notes are issued by more than five percent (5%).

(b) Capital outlay notes issued from funds derived from the sale of any Tennessee private act hospital may be issued for a period not to exceed the end of the twentieth fiscal year following the fiscal year in which the notes were issued, with the approval of the comptroller of the treasury or the comptroller's designee. Each fiscal year that any such notes are outstanding following the fiscal year in which notes are issued, the local government must retire a portion thereof equal to not less than one-twentieth (1/20) of the original principal amount of the notes. The resolution authorizing any such issue of notes must provide for the principal of the notes to be payable annually, either by maturity or by mandatory redemption. The resolution authorizing such notes may provide that the notes must be subject to redemption prior to maturity at the option of the local government. The comptroller of the treasury or the comptroller's designee, in approving any such notes, may waive the requirement of periodic retirement.

[9-21-605]

SECTION 14. Tennessee Code Annotated, Section 9-21-605, is amended by deleting the section.

[9-21-606]

SECTION 15. Tennessee Code Annotated, Section 9-21-606, is amended by deleting the section and substituting instead the following:

Capital outlay notes may be refunded with general obligation refunding bonds as provided in part 9 of this chapter; provided, however, that if the final maturity of the refunding bonds exceeds the final maturity of the capital outlay notes being refunded, then an initial resolution authorizing general obligation refunding bonds must be adopted in conformance with § 9-21-205 and must conform to § 9-21-206 requiring publication of the resolution and the notice therein required. Sections 9-21-207 and 9-21-209 – 9-21-212, governing election requirements and procedures, and § 9-21-215, governing the adoption of a tax resolution by the governing body of the local government, also apply.

[9-21-607]

SECTION 16. Tennessee Code Annotated, Section 9-21-607, is amended by deleting the section and substituting instead the following:

Capital outlay notes that mature not later than the third fiscal year after the fiscal year in which the notes are issued may be sold in such manner either at a competitive public sale or at a private negotiated sale as the governing body of the local government may direct. Capital

PUBLIC CHAPTER NO. 128 (cont'd)

outlay notes issued solely for the acquisition of a fee simple absolute interest in land to the seller of such land or such seller's designee and that are issued for a period not to exceed the end of the tenth fiscal year following the fiscal year in which the notes were issued may be sold by private negotiated sale. Capital outlay notes issued for a period greater than the end of the third fiscal year following the fiscal year in which the notes were issued, but not greater than the end of the twelfth fiscal year following the fiscal year in which the notes were issued with a principal amount not in excess of five million dollars (\$5,000,000) must be sold at competitive public sale or by the informal bid process described in § 9-21-609. Capital outlay notes issued for a period greater than the end of the third fiscal year following the fiscal year in which the notes were issued, but not greater than the end of the twelfth fiscal year following the fiscal year in which the notes were issued with a principal amount in excess of five million dollars (\$5,000,000) must be sold at competitive public sale. For purposes of this part, a competitive public sale must be undertaken in the same manner as a competitive public sale is undertaken for general obligation bonds under part 2 of this chapter; provided, however, that if the principal amount of capital outlay notes to be sold is not greater than five million dollars (\$5,000,000) then the notice of sale may be published solely in a newspaper having general circulation in the local government.

[9-21-608]

SECTION 17. Tennessee Code Annotated, Section 9-21-608, is amended by deleting the section.

[9-21-609]

SECTION 18. Tennessee Code Annotated, Section 9-21-609, is amended by deleting the section and substituting instead the following:

If capital outlay notes are authorized to be sold by an informal bid process, the local government or its municipal advisor shall contact at least three (3) financial institutions by telephone or letter to request such financial institutions to provide a rate or rates of interest for the term or terms of such notes. If the informal bid process is used, the local government shall provide the comptroller of the treasury or the comptroller's designee a summary of the rate quotes received from financial institutions with its request for approval of the sale of the capital outlay notes. Any recurring fees that will be included as part of the interest rate over and above the bank rate must be identified.

[9-21-610]

SECTION 19. Tennessee Code Annotated, Section 9-21-610, is amended by deleting the section.

PUBLIC CHAPTER NO. 128 (cont'd)**[9-21-612]**

SECTION 20. Tennessee Code Annotated, Section 9-21-612, is amended by deleting the section and substituting instead the following:

Capital outlay notes issued pursuant to this part may be refunded by issuing capital outlay notes under this part, in accordance with the requirements and procedures set forth in this part and in §§ 9-21-903, 9-21-904, 9-21-910, 9-21-912, 9-21-913, and 9-21-914. The final maturity date of the refunding notes must not be later than the final maturity date of the notes being refunded, unless otherwise approved by the comptroller of the treasury or the comptroller's designee.

[9-21-901]

SECTION 21. Tennessee Code Annotated, Section 9-21-901, is amended by adding the following new subsection:

(e) For purposes of this chapter, the modification of an outstanding obligation must be deemed a refunding of the modified obligation, and such refunding must be required to comply with this chapter, if the modification is of such significance that the obligation would be deemed to be reissued for federal tax law purposes, whether or not the outstanding obligation is tax-exempt for purposes of federal tax laws.

[9-21-1001]

SECTION 22. Tennessee Code Annotated, Section 9-21-1001(b), is amended by deleting the subsection and substituting instead the following:

(b) Revenue refunding bonds shall not be issued under this part and part 1 of this chapter, unless the governing body of the local government makes a finding, which finding shall be conclusive, that one (1) or more of the following purposes will be accomplished:

- (1) Cost savings to the public;
- (2) Removal or modification of one (1) or more restrictive covenants;
- (3) Elimination or mitigation of risk due to interest rate changes; or
- (4) Payment or discharge of all or any part of an issue or series of outstanding obligations, including any interest thereon, in arrears or to become due and for the payment of which sufficient funds are not available.

[12-10-116]

SECTION 23. Tennessee Code Annotated, Section 12-10-116(b), is amended by deleting the last sentence, which reads as follows:

Any lease, loan agreement, sales contract or operating contract described in this chapter may be entered into for the purpose of converting capital outlay notes to a loan as provided in § 9-21-606(b) and § 9-21-610; provided, that no capital outlay notes shall be converted to

PUBLIC CHAPTER NO. 128 (cont'd)

a loan agreement later than two (2) years following the date of original issuance of such notes without the approval of the comptroller of the treasury or the comptroller's designee.

[Effective date 4/13/2021]

SECTION 24. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 129**SENATE BILL NO. 544****By Massey**

Substituted for: House Bill No. 662

By Gillespie

AN ACT to amend Tennessee Code Annotated, Title 37, Chapter 5, Part 3, relative to the community services agency board.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[37-5-307]

SECTION 1. Tennessee Code Annotated, Section 37-5-307(a)(2), is amended by deleting the subdivision and substituting instead the following:

(2) Review and approve plans of operation submitted in accordance with § 37-5-310;

[37-5-310]

SECTION 2. Tennessee Code Annotated, Section 37-5-310(a), is amended by deleting the subsection and substituting instead the following:

(a) At least ninety (90) days prior to the beginning of each state fiscal year, the board shall submit a plan of operation for review and approval to the commissioner. The plan of operation shall be in such form as may be required by the department and shall include, but not be limited to, the following:

- (1) A budget for operating and capital expenditure;
- (2) Contracts for services;
- (3) Appropriate policies and procedures adopted by the board to govern the expenditure of funds; and
- (4) Other items as required by the department through rules and regulations.

[37-5-310]

SECTION 3. Tennessee Code Annotated, Section 37-5-310(b), is amended by deleting the subsection and substituting instead the following:

(b) The plan of operation may be amended during the fiscal year with the written approval of the commissioner.

[Effective date 4/13/2021]

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 130**SENATE BILL NO. 584****By Crowe**

Substituted for: House Bill No. 1076

By Leatherwood

AN ACT to amend Tennessee Code Annotated, Title 63, Chapter 13, relative to physical therapy.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[63-13-303]

SECTION 1. Tennessee Code Annotated, Section 63-13-303, is amended by deleting the current language in subsection (b) and substituting instead the following:

(b) A person shall not practice physical therapy, other than upon the referral of a patient by a referring practitioner who is a licensed doctor of medicine, chiropractic, dentistry, podiatry, or osteopathy, unless the person:

(1) Holds a doctorate degree from a professional physical therapy program that is accredited by a national accreditation agency recognized by the United States department of education and by the board; or

(2) Has completed:

(A) At least three (3) years of experience as a licensed physical therapist; and

(B) A professional physical therapy program of at least fifteen (15) credit hours that is:

(i) Approved by the board;

(ii) Offered by an institution of higher education that is accredited by a national accreditation agency recognized by the United States department of education; and

(iii) Designed to enable a physical therapist to recognize conditions that require timely referral to an appropriate healthcare practitioner who qualifies as a referring practitioner under subsection (a).

[Effective date 4/13/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 131**SENATE BILL NO. 599****By Hensley, Bowling**

Substituted for: House Bill No. 1019

By Halford

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 19 and Title 13, Chapter 26, Part 1, relative to bond requirements for human resource agencies.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[13-26-110]

SECTION 1. Tennessee Code Annotated, Section 13-26-110(a), is amended by deleting the subsection and substituting instead the following:

(a)(1) Any board member, policy council member, employee, officer, or any authorized person of a human resource agency who receives public funds, has authority to make expenditures from public funds, or has access to any public funds is required to give bond to be made payable to this state with such sureties as are hereinafter provided. The bond is to be conditioned in all cases in which a different condition is not prescribed, upon the faithful discharge of the duties of such office, employment, or other authorized activity in which such person is engaged during the time the person continues in the discharge of such duties, or in the discharge of any part thereof.

(2)(A) A human resource agency may obtain, in lieu of the surety bond required by subdivision (a)(1), a policy of insurance issued by an insurance company duly authorized to do business in this state or an agreement with a pool established by two (2) or more governmental entities pursuant to § 29-20-401 or any entity established pursuant to § 29-20-401(b)(2) for administration of such agreement, which provides government crime coverage, employee dishonesty insurance coverage, or equivalent coverage that insures the lawful performance by officials and their employees of their fiduciary duties and responsibilities.

(B) Any such policy or agreement maintained must have limits of not less than four hundred thousand dollars (\$400,000) per occurrence.

(C) A policy or agreement satisfying the requirements set forth in subdivision (a)(2)(A) is deemed to be a blanket official bond for each official or office identified in the policy or agreement for all purposes under this chapter.

(D) The officials who may be covered under the policy or agreement include board members, policy council members, employees, officers, and other authorized persons of a human resource agency who handle public funds, pursuant to this chapter.

PUBLIC CHAPTER NO. 131 (cont'd)

(E) A copy of the policy or agreement evidencing the persons covered, the amount of coverage maintained, and the type of coverage provided shall be filed in the register's office for the county in which the human resource agency is located.

(F) A policy or agreement filed pursuant to subdivision (a) (2)(E) satisfies the requirement for the filing of official bonds under subsection (e).

[Effective date 4/13/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 132**SENATE BILL NO. 617****By Bell**

Substituted for: House Bill No. 1567

By Bricken, Travis, Grills, Sherrell, Doggett, Warner, Casada, Weaver

AN ACT to amend Tennessee Code Annotated, Title 15, Chapter 2, relative to Tennessee Manufacturing Day.

WHEREAS, manufacturing is critical to the health of Tennessee's economy, with this State's manufacturers accounting for more than \$45 billion in total economic output; and

WHEREAS, manufacturing companies employ around 168,000 Tennesseans; and

WHEREAS, the Tennessee manufacturing industry is committed to recognizing and celebrating the contributions of manufacturing to our everyday lives, sharing the message of how manufacturing contributes to our strong economy through the production of goods, job creations, and growth in our communities; and

WHEREAS, Tennessee is one of the nation's leaders in manufacturing, as manufacturers in Tennessee account for 15.32% of the total output in the state, and employ 11.47% of the workforce; and

WHEREAS, Manufacturing Day celebrations may take place throughout the month of October; and

WHEREAS, the Tennessee Chamber of Commerce & Industry and Tennessee Manufacturing Association strive to increase the awareness of all Tennessee manufacturing companies by focusing on how manufacturing improves our communities throughout the state; and

WHEREAS, the National Association of Manufacturers and the Tennessee Chamber of Commerce & Industry (Tennessee Manufacturing Association) designated the first Friday in October as the kick-off for a season of celebration in support of the manufacturing community and to educate the public about opportunities in the industry; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[15-2-139]

SECTION 1. Tennessee Code Annotated, Title 15, Chapter 2, is amended by adding the following language as a new section:

The first Friday in October of each year is designated as "Tennessee Manufacturing Day," to promote manufacturing and highlight the

PUBLIC CHAPTER NO. 132 (cont'd)

benefits of manufacturing to our state and nation. This day is not a legal holiday as defined in § 15-1-101.

[Effective date 7/1/2021]

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 133**SENATE BILL NO. 729****By Johnson, Stevens**

Substituted for: House Bill No. 140

By Lamberth, Gant, Carter, Ogles

AN ACT to amend Tennessee Code Annotated, Title 33; Title 34, Chapter 3 and Title 71, relative to conservatorship proceedings involving persons in state custody.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[34-3-101]

SECTION 1. Tennessee Code Annotated, Section 34-3-101(b), is amended by designating the current language as subdivision (b)(1) and adding the following as a new subdivision (b)(2):

(2) For purposes of subdivision (b)(1):

(A) The county of residence of a person incarcerated in a department of correction facility is the county in which the facility is located; and

(B) The county of residence of a person involuntarily hospitalized in an institution of the department of mental health and substance abuse services is the county in which the institution is located.

[Effective date 4/13/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 134**SENATE BILL NO. 738****By Johnson, White**

Substituted for: House Bill No. 770

By Lamberth, Gant, Alexander, Crawford, Love

AN ACT to amend Tennessee Code Annotated, Section 37-1-120 and Title 49, Chapter 10, Part 13, relative to the Special Education Behavioral Supports Act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[49-10-1303]

SECTION 1. Tennessee Code Annotated, Section 49-10-1303(1), is amended by deleting the subdivision and substituting instead the following:

(1) "Behavior intervention training program" means a training program in evidence-based positive behavioral supports, evidence-based crisis intervention, and evidence-based techniques for the safe use of isolation and restraint;

[49-10-1303]

SECTION 2. Tennessee Code Annotated, Section 49-10-1303(3), is amended by deleting the word "child's" and substituting instead the word "student's".

[49-10-1303]

SECTION 3. Tennessee Code Annotated, Section 49-10-1303(4)(A), is amended by deleting the subdivision and substituting instead the following:

(A) Means the confinement of a student alone, with no other students, staff, or persons present, in a room with or without a door or other enclosed area or structure pursuant to § 49-10-1305(g) where the student is physically prevented from leaving because a door, object, or school personnel is blocking the student's exit; and

[49-10-1303]

SECTION 4. Tennessee Code Annotated, Section 49-10-1303(4)(B), is amended by deleting the language "an individual student" and substituting instead the language "a student receiving special education services".

[49-10-1303]

SECTION 5. Tennessee Code Annotated, Section 49-10-1303(6), is amended by deleting the last sentence of the subdivision and substituting instead the following:

Mechanical restraint does not include:

PUBLIC CHAPTER NO. 134 (cont'd)

(A) The use of restraints for medical immobilization, adaptive support, or medical protection; or

(B) The use of a seat belt or other device, including, but not limited to, a belting system or harness, to secure a child with a disability during transit on a bus or vehicle operated by an LEA or a provider contracted to serve the LEA's transportation needs;

[49-10-1303]

SECTION 6. Tennessee Code Annotated, Section 49-10-1303(8), is amended by deleting the subdivision and substituting instead the following:

(8) "Physical holding restraint" means the use of body contact by school personnel with a student to restrict freedom of movement or normal access to the student's body, except for:

(A) The holding of a student by an adult in order to calm or comfort the student in the absence of an emergency;

(B) Contact necessary to physically escort a student from one area to another in the absence of an emergency;

(C) Assisting a student in completing a task or response if the student does not resist or if the resistance is of minimal intensity or duration;

(D) Physically redirecting a student if the student does not resist or if the resistance is of minimal intensity or duration; or

(E) School personnel blocking a student's exit or elopement by physically placing themselves in front of the student;

[49-10-1303]

SECTION 7. Tennessee Code Annotated, Section 49-10-1303(9)(F), is amended by deleting the language "intensive behavioral needs; and" and substituting instead the language "intensive behavioral needs;"

[49-10-1303]

SECTION 8. Tennessee Code Annotated, Section 49-10-1303, is amended by adding the following as a new subdivision (10) and redesignating the existing subdivision (10) as subdivision (11):

(10) "Restraint" means a chemical restraint, mechanical restraint, or physical holding restraint; and

[49-10-1304]

SECTION 9. Tennessee Code Annotated, Section 49-10-1304, is amended by deleting subsections (a) and (b) and substituting instead the following:

(a) For a student receiving special education services, as defined in § 49-10-102, isolation or a physical holding restraint may only be used in emergency situations.

PUBLIC CHAPTER NO. 134 (cont'd)

(b) Individualized education programs that provide for the use of isolation or a physical holding restraint for certain behavior must contain a data driven functional behavior assessment and a plan for modification of the behavior developed and implemented by a qualified team of professionals.

[49-10-1304]

SECTION 10. Tennessee Code Annotated, Section 49-10-1304(c), is amended by adding the language “a physical holding” immediately before the word “restraint”.

[49-10-1304]

SECTION 11. Tennessee Code Annotated, Section 49-10-1304(c)(1), is amended by adding the language “trained and” immediately before the word “certified”.

[49-10-1304]

SECTION 12. Tennessee Code Annotated, Section 49-10-1304(c)(2), is amended by adding the language “and certified” immediately after the word “trained”.

[49-10-1304]

SECTION 13. Tennessee Code Annotated, Section 49-10-1304(e)(1), is amended by deleting the language “designee who shall record” and substituting instead the language “designee. The LEA shall create a record of”.

[49-10-1304]

SECTION 14. Tennessee Code Annotated, Section 49-10-1304(e)(2), is amended by deleting the language “act of physical” and substituting instead the language “physical holding”.

[49-10-1304]

SECTION 15. Tennessee Code Annotated, Section 49-10-1304(f)(1), is amended by deleting the language “physical restraint” and substituting instead the language “physical holding restraints”.

[49-10-1304]

SECTION 16. Tennessee Code Annotated, Section 49-10-1304(f)(2), is amended by deleting the language “physical restraint or isolation” and substituting instead the language “a physical holding restraint or isolation”.

[49-10-1304]

SECTION 17. Tennessee Code Annotated, Section 49-10-1304(f)(4), is amended by deleting the language “restraint and isolation” and substituting instead the language “isolation and restraint”.

PUBLIC CHAPTER NO. 134 (cont'd)

[49-10-1304]

SECTION 18. Tennessee Code Annotated, Section 49-10-1304(f)(6), is amended by deleting the language “a periodic” and substituting instead the language “an annual”.

[49-10-1304]

SECTION 19. Tennessee Code Annotated, Section 49-10-1304(d), is amended by deleting the subsection, substituting instead the following, and redesignating the remaining subsections accordingly:

(d) If school personnel impose isolation or restraint, then the school shall immediately contact appropriate school personnel who are designated under department rules to authorize the isolation or restraint. The school personnel authorized by the department's rules to authorize isolation or restraint must observe and evaluate the student's condition within a reasonable time after the isolation or restraint was used. The school principal, or the school principal's designee, shall notify the student's parent or guardian orally or by written or printed communication on the same day the isolation or restraint was used. The school principal, or the school principal's designee, shall be held harmless for failing to notify a student's parent or guardian in compliance with this subsection (d) if the school principal, or the school principal's designee, made a reasonable effort to notify the student's parent or guardian.

(e) An individualized education plan (IEP) team meeting must be convened within ten (10) days of the use of a restraint if:

(1) The student's IEP does not provide for the use of a physical holding restraint generally, or for the behavior that precipitated the use of the restraint; or

(2) A physical holding restraint is used for an extended period of time, as determined by the state board of education.

(f) An IEP team meeting must be convened within ten (10) days of the use of an isolation if:

(1) The student's IEP does not provide for the use of an isolation generally, or for the behavior that precipitated the use of the isolation; or

(2) An isolation is used for an extended period of time, as determined by the state board of education.

(g) If the behavior that precipitated the isolation or restraint also warrants a change of placement, then the student must have all rights provided to the student under applicable state and federal law.

(h)

(1) School personnel may report a suspected crime by calling a law enforcement official.

(2) School personnel may file a juvenile petition against a student receiving special education services, but only after a

PUBLIC CHAPTER NO. 134 (cont'd)

manifestation determination review is conducted in compliance with the requirements of 34 C.F.R. § 300.530, and that results in a determination that:

(A) The conduct in question was not caused by, and did not have a direct and substantial relationship to, the student's disability; and

(B) The conduct in question was not the direct result of the LEA's failure to implement the student's IEP.

(3) A school resource officer, as defined in § 49-6-4202, may, upon witnessing an offense, take the student into custody.

[49-10-1305]

SECTION 20. Tennessee Code Annotated, Section 49-10-1305(a), is amended by deleting the word "child's" and substituting instead the word "student's".

[49-10-1305]

SECTION 21. Tennessee Code Annotated, Section 49-10-1305(e)(1), is amended by deleting the language "physical holding".

[49-10-1305]

SECTION 22. Tennessee Code Annotated, Section 49-10-1305(e)(3), is amended by deleting the subdivision.

[49-10-1305]

SECTION 23. Tennessee Code Annotated, Section 49-10-1305(g), is amended by deleting the word "space" and substituting instead the language "enclosed area or structure".

[49-10-1306]

SECTION 24. Tennessee Code Annotated, Section 49-10-1306(b)(2), is amended by deleting the language "physical restraint or isolation" and substituting instead the language "an isolation or restraint".

[49-10-1306]

SECTION 25. Tennessee Code Annotated, Section 49-10-1306(b)(4), is amended by deleting the subdivision and substituting instead:

(4) The time at which the student's parent or guardian was notified on the day the isolation or restraint was used; and

[49-10-1307]

SECTION 26. Tennessee Code Annotated, Section 49-10-1307, is amended by deleting the language "restraint and isolation" wherever it appears and substituting instead the language "isolation and restraint".

PUBLIC CHAPTER NO. 134 (cont'd)**[37-1-120]**

SECTION 27. Tennessee Code Annotated, Section 37-1-120(e), is amended by deleting “§ 49-10-1304(d)(3)(B)” and substituting “§ 49-10-1304(h)(2)”.

[Effective date 7/1/2021]

SECTION 28. This act takes effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 135

SENATE BILL NO. 741

By Johnson, Stevens

Substituted for: House Bill No. 89

By Lamberth, Gant, Whitson, Todd, Helton

AN ACT to amend Tennessee Code Annotated, Section 111-1-101; Section 11-3-107; Section 59-8-404 and Section 59-8-308, relative to law enforcement employees of the department of environment and conservation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[11-1-101]

SECTION 1. Tennessee Code Annotated, Section 11-1-101, is amended by adding the following as a new, appropriately designated subsection:

()(1) In addition to the authority granted by chapters 3 and 6 of this title, the commissioner is authorized to commission as environmental investigation law enforcement officers those employees of the department who have successfully met standards of initial and recurrent training and qualification established by the commissioner pursuant to this subsection for the commissioning of employees as environmental investigation law enforcement officers. The standards must be substantially equivalent to those established by the Tennessee peace officer standards and training commission.

(2)(A) For the sole purpose of carrying out the scope of assigned duties regarding environmentally-related criminal offenses within the jurisdiction of the department as specified or limited in the sole discretion of the commissioner, each employee commissioned pursuant to subdivision ()(1) shall have all the powers and protections of a law enforcement officer throughout this state, including, but not limited to, the authority to:

(i) Make arrests for public offenses, execute all warrants, and serve process in criminal and penal prosecutions for such offenses;

(ii) Carry weapons for the reasonable purposes of the employee's office while in the performance of the employee's assigned duties; and

(iii) Assist other local, state, and federal agencies in their law enforcement duties.

(B) When on duty, each employee commissioned pursuant to subdivision ()(1) shall carry on the employee's person a badge and identification card that identify the commissioned employee as an officer of the department of environment and conservation. The commissioned employee shall exhibit the badge and identification card on demand and prior to making an arrest.

PUBLIC CHAPTER NO. 135 (cont'd)**[11-3-107]**

SECTION 2. Tennessee Code Annotated, Section 11-3-107(b), is amended by designating the existing language as subdivision (1) and adding the following as a new subdivision (2):

(2) The employees commissioned under subdivision (b)(1) may also provide both law enforcement and search and rescue assistance outside of the areas described in subdivision (b)(1) at the request of federal, state, or local officials if such assistance is necessary for the protection of life, health, or safety. For the purposes of rendering such assistance, the commissioned employees shall have all the powers and protections of a law enforcement officer throughout the state.

[59-8-308]

SECTION 3. Tennessee Code Annotated, Section 59-8-308(1), is amended by deleting the subdivision and substituting instead the following:

(1) Employ and commission qualified individuals as provided in § 11-1-101;

[59-8-404]

SECTION 4. Tennessee Code Annotated, Section 59-8-404(8), is amended by deleting the subdivision and substituting instead the following:

(8) Employ and commission qualified individuals as provided in § 11-1-101;

[Effective date 4/13/2021]

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 136**SENATE BILL NO. 748****By Johnson, Crowe**

Substituted for: House Bill No. 80

By Lamberth, Gant, Kumar

AN ACT to amend Tennessee Code Annotated, Title 53, Chapter 10, Part 3, relative to the controlled substance monitoring database.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[53-10-302]

SECTION 1. Tennessee Code Annotated, Section 53-10-302(9), is amended by adding the following subdivision:

(D) The state chief medical examiner, a county medical examiner, a deputy or assistant state medical examiner or forensic pathologist under the control or direction of the chief medical examiner, or a deputy or assistant county medical examiner or forensic pathologist under the control or direction of a county medical examiner.

[53-10-302]

SECTION 2. Tennessee Code Annotated, Section 53-10-302(10), is amended by deleting the first sentence of the subdivision and substituting instead the following:

“Healthcare practitioner delegate” means any person designated by a healthcare practitioner to act as an agent of the healthcare practitioner, upon registering the person as a delegate and providing any information required by the department.

[53-10-303]

SECTION 3. Tennessee Code Annotated, Section 53-10-303(c), is amended by deleting the language “seven (7)” and substituting instead the language “six (6)”.

[53-10-306]

SECTION 4. Tennessee Code Annotated, Section 53-10-306(a)(6), is amended by deleting the subdivision and substituting instead the following:

(6) The state chief medical examiner, a deputy or assistant state medical examiner appointed pursuant to § 38-7-103, a county medical examiner or deputy county medical examiner appointed pursuant to § 38-7-104, or a forensic pathologist under the control or direction of the chief medical examiner or a county medical examiner when acting in an official capacity as established in § 38-7-109; provided, that any access to information from the database is subject to the confidentiality

PUBLIC CHAPTER NO. 136 (cont'd)

provisions of this part, except where information obtained from the database is appropriately included in any official report under § 38-7-110(c);

[53-10-306]

SECTION 5. Tennessee Code Annotated, Section 53-10-306(a)(8), is amended by deleting the word “aggregate” and substituting instead the word “deidentified”.

[53-10-306]

SECTION 6. Tennessee Code Annotated, Section 53-10-306(1)(2), is amended by deleting the language “Aggregate controlled substances prescribing information from the database which does not contain personally identifiable data” and substituting instead “Deidentified controlled substances prescribing information from the database”.

[53-10-306]

SECTION 7. Tennessee Code Annotated, Section 53-10-306(n), is amended by deleting the language “aggregate unidentifiable” and substituting instead the word “deidentified”.

[53-10-306]

SECTION 8. Tennessee Code Annotated, Section 53-10-306, is amended by adding the following subsection:

Deidentified information from the database must not include the identifying information of any patient, healthcare practitioner, healthcare practitioner delegate, or healthcare facility.

[53-10-308]

SECTION 9. Tennessee Code Annotated, Section 53-10-308(b), is amended by deleting the word “aggregate” and substituting instead the word “deidentified”.

[53-10-311]

SECTION 10. Tennessee Code Annotated, Section 53-10-311(e)(2)(B), is amended by deleting the subdivision and substituting instead the following:

(B) Data sharing consistent with the requirements of § 53-10-306.

[Effective date 4/13/2021]

SECTION 11. This act takes effect upon becoming a law, the public welfare requiring it, and applies to actions taken on or after the effective date of this act.

PUBLIC CHAPTER NO. 137**SENATE BILL NO. 784****By Jackson**

Substituted for: House Bill No. 712

By Hurt

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 50, relative to hardship licenses issued to minors.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[55-50-312]

SECTION 1. Tennessee Code Annotated, Section 55-50-312(f), is amended by designating the existing language as subdivision (1) and adding the following as a new subdivision (2):

(2) Notwithstanding this chapter or other law to the contrary, a Class H or hardship license issued to a minor who holds a Class P license or instructional permit expires on the date the Class P license or instructional permit expires.

[Effective date 1/1/2022]

SECTION 2. This act takes effect January 1, 2022, the public welfare requiring it.

PUBLIC CHAPTER NO. 138

SENATE BILL NO. 795

By Rose, Yarbro

Substituted for: House Bill No. 667

By Freeman, Hardaway, Lamar, Clemmons, Beck, Camper

AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 5 and Title 68, relative to the Commercial Property Assessed Clean Energy and Resilience Act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[T. 68, ch. 205; 68-205-101; 68-205-102; 68-205-103; 68-205-104; 68-205-105; 68-205-106; 68-205-107; 68-205-108; 68-205-109; 68-205-110; 68-205-111; 68-205-112; 68-205-113; 68-205-114; 68-205-115]

SECTION 1. Tennessee Code Annotated, Title 68, is amended by adding the following as a new chapter:

68-205-101.

(a) This chapter is known and may be cited as the “Commercial Property Assessed Clean Energy and Resilience Act.”

(b) It is the intent of the general assembly to authorize the establishment of a commercial property assessed clean energy and storm resiliency (C-PACER) program that jurisdictions may voluntarily implement to ensure that free and willing owners of agricultural, commercial, industrial, and multifamily residential properties can obtain low-cost, long-term financing for qualifying improvements. By authorizing local governments to adopt C-PACER programs, the general assembly finds that a valid public purpose exists because the use of C-PACER will increase economic development, lower insurance costs, and lower disaster and emergency response and aid costs to local governments. C-PACER programs will also decrease energy and water costs and encourage energy and water sustainability.

68-205-102.

As used in this chapter:

(1) “Capital provider” means a private third-party entity, including its designee, successor, and assigns, that makes or funds C-PACER financing, including refinancing, under this chapter;

(2) “Commercial property” means privately owned commercial, industrial, or agricultural real property, or privately owned residential real property consisting of five (5) or more dwelling units, and includes property owned by nonprofit, charitable, or religious organizations;

(3) “C-PACER program” or “program” means a commercial property assessed clean energy program established under this chapter;

PUBLIC CHAPTER NO. 138 (cont'd)

(4) "Financing" means financing and refinancing for qualified projects under this chapter;

(5) "Financing agreement" means the contract under which a property owner agrees to repay a capital provider for the C-PACER financing, including, but not limited to, details of finance charges, fees, debt servicing, accrual of interest and penalties, and terms relating to treatment of prepayment and partial payment, billing, collection, and enforcement of the C-PACER financing;

(6) "Local government" means a county, metropolitan government, municipality, or other political subdivision of this state;

(7) "Program administrator" means the department or individual within a local government designated to administer a C-PACER program, or a private and independent third party designated by the local government; provided, that the administration procedures used conform to this chapter;

(8) "Program guidebook" means a comprehensive document that illustrates the applicable program and establishes appropriate guidelines, specifications, underwriting and approval criteria, and standard application forms consistent with the administration of a program and not detailed in this chapter, including:

(A) A form assessment contract between the local government and the property owner specifying the terms of assessment under the program, financing provided by a third party, and remedies for default or foreclosure;

(B) A form local government Notice of Assessment and C-PACER lien; or

(C) A form Notice of Assignment of Assessment and C-PACER lien between a local government and a capital provider;

(9) "Project application" means an application submitted for a program to demonstrate that a proposed project qualifies for C-PACER financing and for a C-PACER assessment and lien;

(10) "Property owner" means the owner or owners on title, duly recorded, of a commercial property;

(11) "Qualified improvement" means a permanent improvement installed and affixed to commercial property and intended to:

(A) Decrease energy consumption or demand through the use of efficiency technologies, products, or activities that reduce or support the reduction of energy consumption;

(B) Support the production of clean, renewable energy, including through the use of a product, device, or interacting group of products or devices on the customer's side of the meter that generates electricity, provides thermal energy, or regulates temperature;

(C) Decrease water consumption or demand and address safe drinking water through the use of efficiency technologies, products, or activities that reduce or support the reduction of water consumption;

PUBLIC CHAPTER NO. 138 (cont'd)

(D) Allow for the reduction or elimination of lead from water that may be used for drinking or cooking; or

(E) Increase water or waste water resilience, including through storm retrofits, flood mitigation, and stormwater management, or wind resistance, energy storage, microgrids, and other resilience projects approved by the local government;

(12) "Qualified project" means a project approved by the program administrator, involving the installation or modification of a qualified improvement, including new construction or the adaptive reuse of eligible property with a qualified improvement, and including qualified improvements installed no more than two (2) years prior to the date of application;

(13) "Record owner" means the owner listed on the property's legal documents on file or the owner of an estate for years created pursuant to a written ground lease agreement or similar agreement; and

(14) "Region" means a geographical area as determined by a local government pursuant to § 68-205-104.

68-205-103.

(a) A local government may impose a voluntary special assessment to repay the financing of qualified projects on commercial property located in a region.

(b) A local government shall not impose an assessment to repay the financing of the purchase or installation of products or devices not permanently affixed to commercial property.

(c) A local government may impose a voluntary special assessment only after a project application is approved. The special assessment must be created through a written contract between the local government and the record owner of the property to be assessed.

(d) Prior to entering into the written assessment contract, the record owner shall obtain and furnish to the local government a written statement, executed by each holder of a mortgage or deed of trust on the property securing indebtedness, in the sole and absolute discretion of each holder of a mortgage or deed of trust on the property, that consents to the assessment and indicates that the assessment does not constitute an event of default under the mortgage or deed of trust.

68-205-104.

(a) A local government may establish a C-PACER program and exercise all powers granted under this chapter.

(b)(1) The local government shall designate a region within its boundaries as an area in which C-PACER activities are eligible.

(2) If the local government is a county, then the region designated may encompass the whole of the unincorporated and incorporated areas inside the county's boundaries.

PUBLIC CHAPTER NO. 138 (cont'd)

(c) Except as otherwise provided in subsection (g), a local government that establishes a program may enter into a written assessment contract with a property owner to establish a voluntary assessment to repay the owner's financing of a qualified project on the owner's property as long as the conditions set forth in § 68-205-103 are met.

(d) A local government may administer a program, delegate administration pursuant to § 68-205-107, or delegate the administration to a single, independent, and qualified third party for all C-PACER assessments within the region as identified in subsection (b).

(e) If the program provides for third-party administration, then the local government official authorized to enter into a written contract with a property owner pursuant to subsection (c) shall also enter into a written contract with the party that administers the program. The contract must require the third party to reimburse the local government for costs associated with monitoring the program, imposing the assessment, and billing and collecting payments on behalf of the third party.

(f) The financing for assessments imposed may include, but is not limited to:

(1) The cost of materials and labor necessary for the installation or modification of a qualified improvement;

(2) Permit fees;

(3) Inspection fees;

(4) Lender fees;

(5) Program application and administrative fees;

(6) Project development and engineering fees;

(7) Interest reserves;

(8) Capitalized interest, in an amount determined by the owner of the commercial property and the third party providing financing under this section; and

(9) Other fees or costs incurred by the property owner incident to the installation, modification, or improvement on a specific or pro rata basis, as determined by the local government.

(g) Prior to entering into the written assessment contract, the local government shall require each record owner to consent to the assessment, which may be executed in the owner's sole and absolute discretion, and acknowledge in writing that the owner may be responsible for the payment of any remaining principal balance of the assessment upon the sale of the property unless the remaining balance is assumed by the acquiring property owner.

68-205-105.

(a) To establish a C-PACER program under this chapter, the local government must act in the following order:

PUBLIC CHAPTER NO. 138 (cont'd)

(1) Adopt a resolution of intent that includes:

(A) A finding that the financing of qualified projects through special assessments is a valid public purpose;

(B) A statement that the local government intends to authorize direct financing between property owners and capital providers as the means to finance qualified projects;

(C) A statement that the local government intends to authorize special assessments, entered into voluntarily by a property owner with the local government by means of the written assessment contract, as the means to repay the financing for qualified projects available to property owners;

(D) A description of the types of qualified projects that may be subject to special assessments;

(E) A description of the boundaries of the region;

(F) A description of any proposed arrangements for administration of the program, including administration pursuant to this chapter, to be available;

(G) A description of local government debt-servicing procedures if a third party is responsible for servicing the installment payments on the C-PACER financing, unless delegated pursuant to § 68-205-107(b);

(H) A statement of the time and place for a public hearing on the proposed program as required in subdivision (a)(2); and

(I) A statement identifying the appropriate local official and the county tax collector for consulting about the collection of proposed special assessments with property taxes imposed on the assessed property;

(2) Hold a hearing for the public to comment on the proposed program; and

(3) Adopt a resolution establishing the program and its terms.

(b) Subject to the terms of the resolution establishing the program as provided in subdivision (a)(3), the local government may amend a program by resolution.

(c) A local government is authorized to impose fees to offset the actual and reasonable costs of administering a program. The fees may be assessed as part of the program application, to be paid by the property owner requesting to participate in the program. Service fees of approved applications must be calculated as one percent (1%) of the total amount financed, not to exceed fifty thousand dollars (\$50,000). Service fees retained by a local government must be placed into a reserve account and utilized for assessor-related costs if the local government chooses to exercise its authority under § 68-205-107(d). If the local government does not choose to exercise its authority under § 68-205-107(d), then the funds must be placed into an account designated by the local government.

PUBLIC CHAPTER NO. 138 (cont'd)

68-205-106.

The terms of a program established pursuant to § 68-205-105(a)(3) must include:

(1) Appropriate eligibility factors, including certification by the property owner that:

(A) The property owner requesting to participate in the program:

- (i) Is the legal owner of the benefited property;
 - (ii) Is current on mortgage and property tax payments; and
 - (iii) Is not insolvent or in bankruptcy proceedings; and
- (B) The title of the benefited property is not in dispute;

(2) A requirement that the amount of the assessment plus any existing indebtedness on the property does not:

(A) Exceed ninety percent (90%) of the fair market value of the property as determined by a qualified appraiser, with the exception that properties qualified under the federal low-income housing tax credit program set forth in 26 U.S.C. § 42 are exempt from this requirement; and

(B) Exceed twenty-five percent (25%) of the fair market value of the property as determined by a qualified appraiser;

(3) A description of the types of qualified projects that may be subject to special assessments;

(4) A statement identifying the local government official authorized to enter into and execute written contracts on behalf of the local government;

(5) A statement that the period of the special assessment must not exceed the weighted average of the useful life of the qualified project that is the basis for the assessment;

(6) A statement explaining the manner in which property will be assessed and how assessments will be collected; and

(7) The procedures for billing and collecting the voluntary special assessments and remedies for enforcement of delinquent special assessments, unless the local government delegates these duties pursuant to § 68-205-107(d)(2).

68-205-107.

(a) A program must establish a C-PACER application and review process to evaluate project applications for C-PACER financing. The program must prescribe the form and manner of the application. At a minimum:

(1) An applicant must demonstrate that the project provides a benefit to the public, in the form of energy or water resource conservation, reduced public health costs or risk, or reduced public emergency response cost or risk;

(2) For an existing building:

PUBLIC CHAPTER NO. 138 (cont'd)

(A) Where energy or water usage improvements are proposed, an applicant must provide:

(i) An energy analysis by a licensed engineering firm, engineer, or other qualified professional listed in the program guidebook; and

(ii) A statement by the author of the analysis that the proposed qualified improvements will either result in more efficient use or conservation of energy or water, the reduction of greenhouse gas emissions, or the addition of renewable sources of energy or water; or

(B) Where resilience improvements are proposed, an applicant must provide certification by a licensed professional engineer stating that the qualified improvements will result in improved resilience;

(3) For new construction, an applicant must provide certification by a licensed professional engineer or engineering firm stating that the proposed qualified improvements will enable the project to exceed the current building code's requirements for:

(i) Energy efficiency;

(ii) Water efficiency;

(iii) Renewable energy;

(iv) Renewable water; or

(v) Resilience; and

(4) The applicant must include a certification by a licensed professional engineer or professional firm in the appropriate area of expertise that the economic benefits of the improvements exceed the costs of the assessment.

(b) A local government shall establish a process for reviewing and approving applications for C-PACER financing. The local government may require a qualified capital provider to certify to the local government, in accordance with a process approved by the local government, that the property owner and the project qualify for financing within this act and complies with this chapter and the program guidebook.

(c) The local government's duties also include:

(1) Execution and recording of the written assessment contract between the property owner and the local government, by a duly authorized official, as well as execution and recording of the local government Notice of Assessment and C-PACER lien; and

(2) Execution and recording of the assignment of the assessment agreement, the Notice of Assessment and C-PACER lien, and Notice of Assignment of Assessment and C-PACER lien to the capital provider.

(d) A local government may choose to bill, collect, and enforce the C-PACER assessment and lien, subject to the following guidelines:

PUBLIC CHAPTER NO. 138 (cont'd)

(1) The local government may enforce the assessment lien in the same manner that a property tax lien against commercial property is enforced by the local government as follows:

(A) Delinquent installments of the assessment incur interest and penalties in the same manner as delinquent property taxes; and

(B) In an enforcement or foreclosure action, assessments not yet due shall not be accelerated or eliminated by foreclosure, including the foreclosure of a property tax;

(2) The local government may delegate these responsibilities to the capital provider if the capital provider is solely responsible for billing, collection, and enforcement of the special assessment and lien. Under this subsection (d), delinquent installments incur interest and penalties as specified in the financing agreement between the property owner and capital provider. Enforcement of a delinquent installment must be in the same manner as that of a deed of trust, except that assessments not yet due may not be accelerated or eliminated by foreclosure of the past due amount of the lien. Outstanding and delinquent property taxes at the time of the enforcement action must be satisfied along with the delinquent amounts of the special assessment, subject to § 68-205-110; and

(3) The local government, its officers, and employees, are not liable at law or equity for actions taken pursuant to this section, except in cases of gross negligence, recklessness, or willful misconduct.

(e) After an approved project is completed, an applicant shall provide to the local government written verification provided by a licensed professional engineer or engineering firm, as defined in the program guidebook, stating that the qualified project was properly completed and is operating as intended.

(f) For an improved project, the capital provider may be subject to an audit regarding the assignment of the C-PACER assessment and lien from the local government or program administrator.

68-205-108.

The proposed financing agreement for financing a qualified project may authorize the property owner to directly purchase the related equipment and materials for the installation or modification of a qualified improvement.

68-205-109.

(a) A local government that authorizes financing through special assessments under this chapter shall:

(1) File a written Notice of Assessment and C-PACER lien in the records of the office of the county register of deeds of the county in which the property is located. The notice must contain:

(A) The amount of the assessment;

(B) The legal description of the property;

PUBLIC CHAPTER NO. 138 (cont'd)

(C) The name of each property owner;

(D) A copy of the written assessment contract; and

(E) A reference to this section authorizing the placement of the assessment and C-PACER lien on the property;

(2) File and record each C-PACER lien in the real property records of the county in which the property is located. The recording must contain:

(A) The legal description of the eligible property;

(B) The name of each property owner;

(C) The date on which the lien was created;

(D) The principal amount of the lien; and

(E) The term of the lien; and

(3) Record the executed assignment of the assessment agreement, notice of assignment of assessment, and C-PACER lien, or may delegate the recording to the capital provider receiving the assignment.

(b) The amount of funds allotted through a program must be segregated from the calculation of the undisputed portions necessary for property tax appeals under title 67, chapter 5.

68-205-110.

(a) Except as otherwise provided in subsection (e), a special assessment that complies with § 68-205-103, and any interest or penalties on the assessment:

(1) Is a first and prior lien against the commercial property on which the assessment is imposed, from the date on which the notice of special assessment is recorded pursuant to § 68-205-109, until the assessment, interest, or penalty is paid; and

(2) Has the same priority status as a lien for any other ad valorem tax.

(b) The lien runs with the land, and that portion of the assessment under the assessment contract that is not yet due must not be accelerated or eliminated by foreclosure of a property tax lien.

(c) A provision of a deed of trust, mortgage, or other agreement between a lienholder and a property owner providing for the acceleration of any payment under the deed of trust, mortgage, or agreement solely as the result of entering into an agreement to finance an assessment is unenforceable; provided, that the conditions set forth under § 68-205-103 are satisfied.

68-205-111.

The local government may contract with another local governmental entity, including a county assessor of property, to perform the duties of the local government relating to the billing, collection, enforcement, and remittance of special assessments imposed pursuant to this chapter.

PUBLIC CHAPTER NO. 138 (cont'd)

68-205-112.

(a) A combination of local governments may agree to jointly implement or administer a program under this chapter.

(b) If two (2) or more local governments implement a program jointly, then a single public hearing held jointly by the cooperating local governments is sufficient to satisfy § 68-205-105(a)(2).

68-205-113.

A local government that establishes a region shall not:

(1) Make the issuance of a permit, license, or other authorization from the local government to a person who owns property in the region contingent on the person entering into a written contract to repay the financing of a qualified project through special assessments under this chapter; or

(2) Otherwise compel a person who owns property in the region to enter into a written contract to repay the financing of a qualified project through special assessments.

68-205-114.

Residential property consisting of four (4) or fewer dwelling units does not qualify for financing under the C-PACER program.

68-205-115.

The state, a county, or local government shall not use public funds to fund or repay a loan between a capital provider and property owner. This chapter does not pledge, offer, or encumber the full faith and credit of a local government. A local government shall not pledge, offer, or encumber its full faith and credit for a lien amount through a C-PACER program.

[67-5-516]

SECTION 2. Tennessee Code Annotated, Title 67, Chapter 5, is amended by adding the following as a new section:

67-5-516.

When a local government establishes a C-PACER program pursuant to § 68-205-105, the collection procedures must comply with this chapter and shall not otherwise infringe on a taxpayer's right to appeal.

SECTION 3. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

[Effective date 7/1/2021]

SECTION 4. This act takes effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 139

SENATE BILL NO. 874

By Stevens

Substituted for: House Bill No. 1191

By Garrett, Terry, Smith

AN ACT to amend Tennessee Code Annotated, Title 67, relative to taxes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[67-6-329]

SECTION 1. Tennessee Code Annotated, Section 67-6-329(a), is amended by adding the following as a new subdivision:

() Online access to continuing education courses that meet regulatory requirements for licensed individuals and that are offered by organizations that have received a determination of exemption from the internal revenue service, pursuant to 26 U.S.C. § 501(c)(3) or (c)(6);

[Effective date 7/1/2021]

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 140**SENATE BILL NO. 885****By Stevens**

Substituted for: House Bill No. 1128

By Farmer, Lamberth, Hazlewood

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 38, Part 6, relative to the safe at home address confidentiality program.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[40-38-601]

SECTION 1. Tennessee Code Annotated, Section 40-38-601(12), is amended by deleting the subdivision.

[40-38-601]

SECTION 2. Tennessee Code Annotated, Section 40-38-601(16), is amended by deleting the subdivision and substituting the following:

“Program participant” or “participant” means a person who is certified by the secretary of state as a program participant and who is an applicant, co-applicant, the child of an applicant or co-applicant, or a person with a disability for whom an applicant or co-applicant serves as a fiduciary;

[40-38-601]

SECTION 3. Tennessee Code Annotated, Section 40-38-601, is amended by adding the following as new subdivisions:

“Applicant” means the person who applies to be a program participant and who is or has been a victim of domestic abuse, stalking, human trafficking, rape, sexual battery, or another sexual offense;

“Co-applicant” means the spouse, parent, or fiduciary of the applicant who lives in the same residence as the applicant at the time the application is made and who resides in the same residence with the applicant while the applicant is a program participant;

[40-38-602]

SECTION 4. Tennessee Code Annotated, Section 40-38-602(a), is amended by deleting the subsection and substituting the following:

(a) The secretary of state shall establish a crime victim address confidentiality program, which must be open to applicants who are victims of domestic abuse, stalking, human trafficking, rape, sexual battery, or another sexual offense, as well as co-applicants, the children of an applicant or co-applicant living at the same address as the applicant or co-applicant, and persons with disabilities for whom

PUBLIC CHAPTER NO. 140 (cont'd)

an applicant or co-applicant serves as a fiduciary and are living at the same address as the applicant or co-applicant if those persons satisfy the requirements of this part, at no cost to the program participant.

[40-38-602]

SECTION 5. Tennessee Code Annotated, Section 40-38-602(b), is amended by deleting the language “and the participant’s minor children”.

[40-38-602]

SECTION 6. Tennessee Code Annotated, Section 40-38-602(c), is amended by deleting the language “, or the program participant’s minor child, or a person with a disability on whose behalf the person is applying,”.

[40-38-604]

SECTION 7. Tennessee Code Annotated, Section 40-38-604(b)(6)(B), is amended by adding the following before the semicolon at the end of the subdivision:, unless the secretary of state determines that the program participant is currently residing at a shelter, as defined in § 71-6-202, or a similar facility

[40-38-604]

SECTION 8. Tennessee Code Annotated, Section 40-38-604, is amended by adding the following as a new subsection:

(d) Except for a person described in § 40-38-603, a co-applicant may apply to the secretary of state with the assistance of an application assistant to use the same substitute address as an applicant with whom the co-applicant resides. The co-applicant’s application must contain the following information:

(1) The name of the applicant with whom the co-applicant is applying for the substitute address;

(2) The relationship of the co-applicant to the applicant, such as spouse, parent, or fiduciary;

(3) The mailing address and telephone number at which the secretary of state may contact the co-applicant;

(4) The address of the co-applicant and applicant’s residence, school, institution of higher education, business, or place of employment that the applicant and co-applicant request not to be disclosed for the reason that disclosure will increase the risk that the applicant, or the child or person with a disability on whose behalf the application is made, will be threatened or physically harmed by another person;

(5) Documentary evidence of the co-applicant’s relationship with the applicant in the form and manner prescribed by rule by the secretary of state;

(6) A sworn statement by the co-applicant that disclosure of the confidential address or addresses would endanger the safety of the

PUBLIC CHAPTER NO. 140 (cont'd)

applicant, or the child or person with a disability on whose behalf the application is made;

(7)(A) Documentary evidence, in the form and manner prescribed by rule by the secretary of state, that the co-applicant has moved with the applicant, or the child of the applicant or the person with a disability for whom the applicant serves as a fiduciary, to a new residence unknown to the offender within the previous thirty (30) calendar days; or

(B) A sworn statement by the co-applicant that the co-applicant intends to move with the applicant, or the child of the applicant or the person with a disability for whom the applicant serves as a fiduciary, to a new address unknown to the offender within the following ninety (90) calendar days. If the co-applicant or the applicant does not move to the same new residence address within the following ninety (90) calendar days or fails to provide documentary evidence of the new residence address to the secretary of state within this time frame, in the manner and rule provided by the secretary of state, then the co-applicant's program participation must be cancelled, unless the secretary of state determines that the co-applicant is currently residing at a shelter, as defined in § 71-6-202, or a similar facility, with the applicant, the child of the applicant, or the person with a disability for whom the applicant serves as a fiduciary;

(8) A voter registration form to be completed if the co-applicant is eligible to vote and wishes to register to vote or update a current voter registration application;

(9) A sworn statement that the co-applicant understands all of the following:

(A) That during the time the co-applicant chooses to have a confidential voter registration record, the co-applicant may only vote by absentee ballot;

(B) That the co-applicant may provide a program participant identification number instead of the residence address on an application for an absentee ballot or on an absentee voter's ballot identification envelope statement of voter with the co-applicant's signature; and

(C) That casting any ballot in person will reveal the co-applicant's precinct and residence address to precinct election officials and employees of the county election commission and may reveal the co-applicant's precinct or residence address to members of the public;

(10) A knowing and voluntary designation of the secretary of state as the agent for the purposes of receiving service of process and the receipt of the mail;

(11) A knowing and voluntary release and waiver of all future claims against the state for any claim that may arise from participation in the address confidentiality program, except for a claim based on the performance or nonperformance of a public duty that was manifestly

PUBLIC CHAPTER NO. 140 (cont'd)

outside the scope of the officer's or employee's office or employment in which the officer or employee acted with malicious purpose, in bad faith, or in a wanton or reckless manner;

(12) The notarized signature of the co-applicant, the name and notarized signature of the application assistant who assisted the co-applicant, and the date on which the co-applicant and application assistant signed the application; and

(13) If, at the time of application, the co-applicant, or the child of the co-applicant or the person with a disability for whom the co-applicant serves as a fiduciary, is subject to a court order or is involved in court action related to the dissolution of marriage proceedings, child support, or the allocation of parental responsibilities or parenting time, the name of the court, contact information for the court, and the case number associated with those proceedings.

[40-38-604]

SECTION 9. Tennessee Code Annotated, Section 40-38-604(c)(1), is amended by deleting "applicant" and substituting "applicant, co-applicant,".

[40-38-608]

SECTION 10. Tennessee Code Annotated Section 40-38-608(a), is amended by adding the following as new subdivisions:

(8) The program participant, who applied to participate in the program as a co-applicant, no longer has a legal spousal, parental, or fiduciary relationship that would qualify them to participate in the program as a co-applicant;

(9) The program participant, who applied to participate in the program as a co-applicant, no longer resides at the same residence as the applicant with whom the co-applicant applied;

[Effective date 4/13/2021]

SECTION 11. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 141**SENATE BILL NO. 931****By Crowe**

Substituted for: House Bill No. 334

By Gary Hicks

AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 5, relative to alkaline hydrolysis.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[T. 62, ch. 5, part 8; 62-5-801; 62-5-802; 62-5-803; 62-5-804; 62-5-805; 62-5-806; 62-5-807; 62-5-808; 62-5-809; 62-5-810]

SECTION 1. Tennessee Code Annotated, Title 62, Chapter 5, is amended by adding the following as a new part:

62-5-801. Part definitions.

As used in this part:

(1) "Alkaline hydrolysis":

(A) Means a water-based dissolution process using alkaline chemicals and heat, and may involve agitation or pressure, to reduce human remains to a liquid and to dry bone residue; and

(B) Includes the disposal of the liquid and the processing and pulverization of dry bone residue;

(2) "Alkaline hydrolysis chamber" means the enclosed space within which the alkaline hydrolysis process takes place and that is used exclusively for alkaline hydrolysis of human remains;

(3) "Alkaline hydrolysis container" means a container:

(A) In which human remains are transported to a funeral establishment and placed in an alkaline hydrolysis chamber for resomation; and

(B) That meets substantially all of the following standards:

(i) Able to be closed in order to provide a complete covering for the human remains;

(ii) Resistant to leakage or spillage;

(iii) Rigid enough for handling with ease; and

(iv) Able to provide protection for the health, safety, and personal integrity of personnel working at an alkaline hydrolysis facility;

(4) "Body parts":

(A) Means limbs or other portions of the anatomy that are removed from a living person for medical purposes during biopsy, treatment, or surgery; and

PUBLIC CHAPTER NO. 141 (cont'd)

(B) Includes dead human bodies that have been donated to science for purposes of medical education or research and parts of the dead human body that were removed for those purposes;

(5) "Casket" means a rigid container that is designed for the encasement of a dead human body and that is constructed of wood, metal, or another rigid material; is ornamented and lined with fabric; and may be combustible;

(6) "Healthcare provider" means healthcare professionals, establishments, or facilities licensed, registered, certified, or permitted pursuant to title 63 or title 68 and regulated under the authority of either the department of health or an agency, board, council, or committee attached to the department of health;

(7) "Political subdivision" means a city, town, municipality, county, or metropolitan government within this state;

(8) "Processing" means the reduction of identifiable bone fragments after the completion of the alkaline hydrolysis process to unidentifiable bone fragments by manual means;

(9) "Pulverization" means the reduction of identifiable bone fragments after the completion of the alkaline hydrolysis and processing to granulated particles by manual or mechanical means;

(10) "Resomation" means the alkaline hydrolysis process;

(11) "Temporary container" means a receptacle for resomated remains composed of cardboard, plastic, metal, or another material that can be closed in a manner that prevents the leakage or spillage of the resomated remains and the entrance of foreign material and that is of sufficient size to hold the resomated remains until the remains are placed in an urn or scattered; and

(12) "Urn" means a receptacle designed to permanently encase resomated remains.

62-5-802. Prerequisites to resomation---refund of fees.

(a) An operator of an alkaline hydrolysis facility shall not resomate or allow resomation at an alkaline hydrolysis facility of a dead human body, other than a body that was donated to science for purposes of medical education or research, until the following has occurred:

(1) The requirements of § 62-5-809 have been met, unless the decedent died from a virulent communicable disease, in which case the department of health or board of health having territorial jurisdiction where the death of the decedent occurred requires by rule or order the resomation to occur prior to the requirements of § 62-5-809 being met;

(2) The operator has received a permit from the department of health for resomation of human remains that authorizes the resomation of the decedent; and

(3) The operator has received other documentation required by this state or a political subdivision of this state.

PUBLIC CHAPTER NO. 141 (cont'd)

(b) If an operator of an alkaline hydrolysis facility submits to the department of health a sworn affidavit stating the operator has completed the resomation of human remains without charge, then the department of health shall issue a refund of fees associated with the receipt of a permit as described in subdivision (a)(2).

62-5-803. Alkaline hydrolysis facility operator duties.

(a)(1) The operator of an alkaline hydrolysis facility may schedule the time for the resomation of a dead human body to occur at the operator's own convenience at any time after the conditions in § 62-5-802 have been met and the decedent or body parts have been delivered to the facility, unless, in the case of a dead human body, the operator has received specific instructions to the contrary from the alkaline hydrolysis facility.

(2) The operator of an alkaline hydrolysis facility becomes responsible for a dead human body or body parts when the body or body parts have been delivered to or accepted by the facility or an employee or agent of the facility.

(b) An operator of an alkaline hydrolysis facility shall do the following:

(1)(A) Upon receipt at the alkaline hydrolysis facility of a dead human body that has not been embalmed, place the body in a holding or refrigerated facility at the alkaline hydrolysis facility, and keep the body in the holding or refrigerated facility until near the time the resomation process commences or until the body is held at the facility for less than eight (8) hours; and

(B) If the body is held for eight (8) hours or longer, place the body in a refrigerated facility at the alkaline hydrolysis facility and keep the body in the refrigerated facility until near the time the resomation process commences; or

(2) Upon receipt of a dead human body that has been embalmed, place the body in a holding facility at the alkaline hydrolysis facility and keep the body in the holding facility until the resomation process commences.

(c) An operator of an alkaline hydrolysis facility shall resomate, in its entirety with the dead human body, the container, if any, in which the body was delivered or accepted by the facility, if the instructions for the disposition of the body requested the container be resomated with the body. However, the facility may remove noncombustible materials from the container prior to resomation.

(d) An operator of an alkaline hydrolysis facility shall not simultaneously resomate more than one (1) decedent, or body parts removed from more than one (1) decedent or living person, in the same alkaline hydrolysis chamber. This subsection (d) does not prohibit the use of alkaline hydrolysis equipment that contains more than one (1) resomation chamber.

PUBLIC CHAPTER NO. 141 (cont'd)

(e) An operator of an alkaline hydrolysis facility shall not permit a person other than an employee of the facility, a licensed embalmer, or a person authorized pursuant to the instructions of the decedent, or an heir or personal representative of the decedent, if any, to be present in the holding facility or resomation room while a dead human body or body parts are being held there prior to resomation; a dead human body or body parts are being resomated; or resomated remains are being removed from the resomation chamber.

(f) An operator of an alkaline hydrolysis facility shall not remove dental gold or silver, body parts, organs, or other items of value from a dead human body prior to the resomation or from the resomated remains after resomation unless the operator was acting under instructions that specifically authorize the removal of dental gold or silver, body parts, organs, or other items of value.

(g) An operator of an alkaline hydrolysis facility who removes dental gold or silver, body parts, organs, or other items of value from a dead human body, or assists in the removal, shall not charge a fee for doing so that exceeds the actual cost to the facility for performing or assisting in the removal of those items.

(h)(1) Upon completion of the resomation process, the operator of an alkaline hydrolysis facility shall remove from the resomation chamber all resomation residue that is practicably recoverable.

(2) If the recovered resomated remains do not fit in the urn selected or in the temporary container, then the operator shall place the remainder in a separate temporary container. Resomated remains placed in a separate temporary container must be delivered, released, or disposed of together with those in the urn or other temporary container.

(3) This subsection (h) does not require an operator of an alkaline hydrolysis facility to recover a specified quantity or quality of resomated remains upon the completion of a resomation. This subsection (h) only requires an operator to recover from the resomation chamber the resomation residue that is practicably recoverable.

(i) An operator of an alkaline hydrolysis facility shall not knowingly represent that an urn or temporary container contains the recovered resomated remains of a specific decedent or of body parts removed from a specific decedent or living person when the urn or container does not. This subsection (i) does not prohibit the making of such a representation because of the presence in the recovered resomated remains of de minimis amounts of the resomated remains of another decedent or of body parts.

(j) Operators of an alkaline hydrolysis facility or a funeral director shall ship or cause to be shipped any resomated remains by a class or method of mail, common carrier service, or delivery service that has an internal system for tracing the location of the resomated remains during shipment and that requires a signed receipt from the person accepting delivery of the resomated remains.

PUBLIC CHAPTER NO. 141 (cont'd)

(k) Operators of an alkaline hydrolysis facility shall establish and maintain a system for accurately identifying each dead human body in the facility's possession and for identifying each decedent or living person from whom body parts in the facility's possession were removed throughout all phases of the holding and resomation process.

(l) An operator of an alkaline hydrolysis facility shall not knowingly use or allow the use of the same resomation chamber for the resomation of dead human bodies or body parts and bodies or body parts of animals.

62-5-804. Final disposition of remains---unclaimed resomated remains.

(a) Except as provided in subsection (b), a person shall not:

(1) Dispose of the resomated remains of a dead human body or body parts in a manner or in a location that the resomated remains are commingled with those of another decedent, or body parts removed from another decedent or living person; or

(2) Place the resomated remains of more than one (1) decedent, or of body parts removed from more than one (1) decedent or living person, in the same urn or temporary container.

(b) Notwithstanding subsection (a), a person may:

(1) Scatter resomated remains at sea, by air, or in a dedicated area at a cemetery used exclusively for the scattering on the ground of the resomated remains of dead human bodies or body parts;

(2) If complying with specific instructions from the decedent or decedents, or an heir or personal representative designated by the decedent or decedents:

(A) Commingle resomated remains of more than one (1) decedent, or of body parts removed from more than one (1) decedent or living person; or

(B) Place in the same urn or temporary container of the resomated remains of more than one (1) decedent, or of body parts removed from more than one (1) decedent or living person; and

(3) If the person is operating under the decedent's instructions, commingle the resomated remains or body parts removed from another decedent or living person, after receipt of the resomated remains or the body parts, with those of another decedent or body parts removed from another decedent or living person.

(c) Unless otherwise specified by written agreement between the operator of the alkaline hydrolysis facility or funeral establishment and the person or entity requesting the resomation of human remains, resomated human remains unclaimed one hundred eighty (180) calendar days from the date of resomation may be interred, entombed, or inurned by the operator of the facility. The operator of the facility or funeral establishment shall make a record of the disposition of the unclaimed resomated human remains available for inspection on

PUBLIC CHAPTER NO. 141 (cont'd)

weekdays between the hours of eight o'clock a.m. (8:00 a.m.) and four-thirty p.m. (4:30 p.m.).

62-5-805. Written receipt for remains---records.

(a) An operator of an alkaline hydrolysis facility shall ensure that a written receipt is provided to the person who delivers a dead human body or body parts to the facility for resomation.

(b) If the dead human body is other than a body that was donated to science for purposes of medical education or research, then the receipt must be signed by both a representative of the alkaline hydrolysis facility and the person who delivered the decedent to the facility and must indicate:

(1) The name of the decedent;

(2) The date and time of delivery;

(3) The type of casket or container, if any, in which the decedent was delivered to the facility;

(4) The name of the person who delivered the decedent to the facility, if applicable;

(5) The name of the funeral home or other establishment with whom the delivery person is affiliated; and

(6) The name of the person who received the decedent on behalf of the facility.

(c) If the dead human body was donated to science for purposes of medical education or research, then the receipt must indicate the name of the person who received the decedent on behalf of the facility.

(d)(1) At the time of releasing resomated remains, an operator of an alkaline hydrolysis facility shall ensure that a written receipt signed by both a representative of the facility and the person who received the resomated remains is provided to the person who received the resomated remains. Unless the resomated remains are those of a dead human body that was donated to science for purposes of medical education or research, or are those of body parts, the receipt shall indicate:

(A) The name of the decedent;

(B) The date and time of the release;

(C) The name of the person to whom the resomated remains were released;

(D) If applicable, the name of the funeral home, cemetery, or other entity to whom the resomated remains were released; and

(E) The name of the person who released the resomated remains on behalf of the alkaline hydrolysis facility.

(2) If the resomated remains are those of a dead human body that was donated to science for purposes of medical education or research or are those of body parts, then the receipt must be signed by both a representative of the alkaline hydrolysis facility and the person

PUBLIC CHAPTER NO. 141 (cont'd)

who received the resomated remains and the receipt must indicate the date and time of the release. For other resomated remains, the receipt must accompany the resomated remains. The signature of the person whose name is on the delivery receipt to accept delivery of the resomated remains satisfies the requirement of this section that the person receiving the resomated remains sign the receipt provided by the facility.

(e) An alkaline hydrolysis facility engaged in the business of resomating dead human bodies or body parts shall keep the following for a period of at least seven (7) years after the date of each resomation to which the information applies:

(1) A copy of each receipt issued upon acceptance by or delivery to the facility of a dead human body;

(2) A record of each resomation conducted at the facility, containing at least the name of the decedent or, in the case of body parts, the name of the decedent or living person from whom the body parts were removed, the date and time of the resomation, and the final disposition made of the resomated remains;

(3) A copy of each delivery receipt issued under this section; and

(4) A separate record of the resomated remains of each decedent or the body parts removed from each decedent or living person that were disposed of containing at least the name of the decedent; the date and time of the resomation; and the location, date, and manner of final disposition of the resomated remains.

(f) Records required to be maintained under this part are subject to inspection by the board, or an authorized representative of the board, upon reasonable notice and at a reasonable time.

62-5-806. Removal of devices or implants from remains.

If a funeral director delivers the decedent to an alkaline hydrolysis facility, then the embalmer shall take reasonable precautions to ensure necessary actions are taken to remove any device or implant from the decedent known to the funeral director, or to render the device or implant nonhazardous, prior to delivering the decedent to the facility.

62-5-807. Alkaline hydrolysis facility operator liability.

(a) The operator of an alkaline hydrolysis facility is not liable for damages in a civil action for the following actions or omissions, unless the actions or omissions were made with malicious purpose, in bad faith, or in a wanton or reckless manner:

(1) Having performed the resomation of the decedent, or having released or disposed of the resomated remains, in accordance with the instructions of the decedent or an heir or personal representative of the decedent;

(2) Having performed the resomation of the decedent or body parts removed from the decedent or living person or having released or

PUBLIC CHAPTER NO. 141 (cont'd)

disposed of the resomated remains in accordance with the instructions of the decedent or an heir or personal representative of the decedent; or

(3) Failure to correctly identify a dead human body prior to resomation.

(b) The operator of an alkaline hydrolysis facility is not liable for damages in a civil action for refusing to accept a dead human body or body parts or to perform a resomation under the following circumstances, unless the refusal was made with malicious purpose, in bad faith, or in a wanton or reckless manner:

(1) The operator has actual knowledge that there is a dispute regarding the resomation of the decedent or body parts, and the operator has not received an order of the court having jurisdiction ordering the resomation of the decedent or body parts;

(2) The operator has a reasonable basis for questioning the accuracy of the information or statements provided to the operator with respect to the resomation of the decedent or body parts; or

(3) The operator has any other lawful reason for refusing to accept the dead human body or body parts or to perform the resomation.

(c) The operator of an alkaline hydrolysis facility is not liable for damages in a civil action in connection with the resomation of or disposition of the resomated remains of dental gold or silver, jewelry, or other items of value delivered to the facility with a dead human body or body parts unless the actions or omissions of the operator were made with malicious purpose, in bad faith, or in a wanton or reckless manner.

(d) This section does not create a new cause of action or substantive legal right against the operator of an alkaline hydrolysis facility.

(e) This section does not affect immunities from civil liability or defenses established by law to which the operator of an alkaline hydrolysis facility may be entitled.

62-5-808. Resomation without a casket.

An operator of an alkaline hydrolysis facility shall not require a person to be resomated in a casket. However, in the discretion of the operator of a facility, a container composed of a readily biodegradable material that is suitable for resomation, other than a casket, may be required.

62-5-809. Delay of resomation.

If a person who signs the death certificate; a district attorney general; any law enforcement officer; or an emergency medical or rescue worker, emergency medical technician, or paramedic who attended the person immediately prior to or after the person's death, signs a written statement requesting the delay of a resomation based upon a reasonable belief that the cause of death may have been due to other than accidental or natural causes, then the resomation of a dead human body must be delayed based upon that request.

PUBLIC CHAPTER NO. 141 (cont'd)

62-5-810. Resomation of medical waste.

This part does not permit the resomation of body parts from a decedent or living person at the request of a hospital or other institution. Only the individual from whose body the body parts were removed, or the individual's duly appointed representative, may make arrangements with an alkaline hydrolysis facility for the resomation of body parts.

[SECTION 2. The headings to sections in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.]

[Effective date 4/13/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 142**SENATE BILL NO. 995****By Gardenhire, Bowling, Watson, Massey**

Substituted for: House Bill No. 553

By Whitson, Calfee, Shaw, Parkinson, Dixie, Miller, Ramsey, Gant, Moon, Wright, Helton, Sherrell, Hardaway, White, Russell, Powell, Moody, Lamar, Clemmons, Camper, Gillespie, Chism, Love

AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 51, relative to infectious diseases.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[7-51-209]

SECTION 1. Tennessee Code Annotated, Section 7-51-209(a)(4), is amended by deleting the subdivision and substituting the following:

(4) "Infectious disease" means:

(A) The human immunodeficiency virus;

(B) Hepatitis C virus; and

(C) A virus or other communicable disease for which:

(i) A pandemic has been declared by the World Health Organization or the federal centers for disease control and prevention; and

(ii) The governor has declared a state of emergency pursuant to § 58-2-107;

[7-51-209]

SECTION 2. Tennessee Code Annotated, Section 7-51-209(b)(2), is amended by deleting the subdivision and substituting the following:

(2) For reasons stated in subdivision (b)(1), an emergency rescue worker who suffers a condition or impairment of health that is caused by an infectious disease, and that results in total or partial disability or death is presumed to have a disability suffered in the line of duty, unless the contrary is shown by a preponderance of the evidence. However, in order to be entitled to the presumption, the emergency rescue worker must verify by written declaration that, to the best of the emergency rescue worker's knowledge and belief: In case of a medical condition caused by or derived from an infectious disease, the emergency rescue worker has not:

(A) Been exposed outside the scope of the worker's employment, through transfer of bodily fluids, to a person known to have a sickness or medical condition derived from an infectious disease;

(B) Had a transfusion of blood or blood components, other than a transfusion arising out of an accident or injury happening in

PUBLIC CHAPTER NO. 142 (cont'd)

connection with the worker's present employment, or received any blood products for the treatment of a coagulation disorder since last undergoing medical tests for infectious disease, which tests failed to indicate the presence of an infectious disease;

(C) Engaged in unsafe sexual practices or other high-risk behavior, as identified by the centers for disease control and prevention or the surgeon general of the United States, or had sexual relations with a person known to the worker to have engaged in such unsafe sexual practices or other high-risk behavior; or

(D) Used intravenous drugs not prescribed by a physician.

[Effective date 4/13/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 143**SENATE BILL NO. 1072****By Watson, Crowe, Reeves**

Substituted for: House Bill No. 1275

By Leatherwood, Williams, Smith

AN ACT to amend Tennessee Code Annotated, Title 63, Chapter 13, relative to medical occupations.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[63-13-103]

SECTION 1. Tennessee Code Annotated, Section 63-13-103(10)(A)(i), is amended by deleting the subdivision and substituting instead the following:

(i) Screening, evaluation, assessment, planning, implementation, or discharge planning in order to determine an occupational therapy treatment diagnosis, prognosis, plan of therapeutic intervention, or discharge plan, or to assess the ongoing effect of intervention;

[63-13-103]

SECTION 2. Tennessee Code Annotated, Section 63-13-103(10)(B), is amended by adding the following as a new subdivision:

() Practice of dry needling of the upper limb, with proper training and certification;

[63-13-103]

SECTION 3. Tennessee Code Annotated, Section 63-13-103(10)(C), is amended by adding the following as a new subdivision:

() Telehealth, telemedicine, or provider-based telemedicine, as authorized by § 63-1-155;

[63-13-103]

SECTION 4. Tennessee Code Annotated, Section 63-13-103(17), is amended by deleting the language "Practice of physical therapy" means:" and substituting the language "Practice of physical therapy" means, whether by in-person encounter or via telehealth, telemedicine, or provider-based telemedicine, as authorized by § 63-1-155, the following:

[63-13-103]

SECTION 5. Tennessee Code Annotated, Section 63-13-103, is amended by adding the following as a new subdivision:

() "Upper limb" means the hand, wrist, elbow, and shoulder girdle;

PUBLIC CHAPTER NO. 143 (cont'd)**[63-13-103]**

SECTION 6. Tennessee Code Annotated, Section 63-13-103(10)(D), is amended by inserting the language “dry needling of the upper limb,” immediately after the language “neurodevelopmental treatment,”.

[63-13-208]

SECTION 7. Tennessee Code Annotated, Section 63-13-208, is amended by adding the following as a new subsection:

() The practice of dry needling of the upper limb by an occupational therapist licensed under this chapter does not constitute the practice of acupuncture under chapter 6, part 10, of this title.

[63-13-216]

SECTION 8. Tennessee Code Annotated, Section 63-13-216(1), is amended by adding the following as a new subdivision:

() Establish minimum competency requirements that an occupational therapist must demonstrate in order to practice dry needling of the upper limb.

[Effective date 7/1/2021]

SECTION 9. For the purpose of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 144**SENATE BILL NO. 1078****By Roberts**

Substituted for: House Bill No. 728

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 47, Chapter 18, Part 10 and Title 47, Chapter 18, Part 55, relative to consumer protection.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[47-18-1012]

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 18, Part 10, is amended by adding the following as a new section:

The department shall combine all moneys received and expenses incurred pursuant to the Tennessee Credit Services Businesses Act and the Uniform Debt-Management Services Act, compiled in part 55 of this chapter, into a single fund for the purpose of administering the acts.

[47-18-5543]

SECTION 2. Tennessee Code Annotated, Title 47, Chapter 18, Part 55, is amended by adding the following as a new section:

The department shall combine all moneys received and expenses incurred pursuant to the Uniform Debt-Management Services Act and the Tennessee Credit Services Businesses Act, compiled in part 10 of this chapter, into a single fund for the purpose of administering the acts.

[Effective date 7/1/2021]

SECTION 3. This act takes effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 145**SENATE BILL NO. 1084****By Roberts**

Substituted for: House Bill No. 321

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 43, Chapter 29, relative to the Tennessee corn promotion board.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-244; 43-29-122]

SECTION 1. Tennessee Code Annotated, Section 4-29-244(a), is amended by inserting the following as a new subdivision:

Tennessee corn promotion board, created by § 43-29-122;

[Effective date 4/13/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 146

SENATE BILL NO. 1116

By White

Substituted for: House Bill No. 497

By Rudd

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 6, Part 21, relative to transportation services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[49-6-2101]

SECTION 1. Tennessee Code Annotated, Section 49-6-2101(e), is amended by deleting the language “four (4)” and substituting the language “six (6)”.

[Effective date 4/13/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 147**SENATE BILL NO. 1124****By White, Massey**

Substituted for: House Bill No. 1006

By Doggett, Griffey, Sherrell, White, Crawford, Hardaway, Smith, Calfee,
Moody

AN ACT to amend Tennessee Code Annotated, Title 37, Chapter 1, Part 1;
Title 39, Chapter 13, Part 5 and Title 39, Chapter 17, Part 10, relative to
children.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

[37-1-148]

SECTION 1. Tennessee Code Annotated, Section 37-1-148(a), is amended
by deleting the language “sexually explicit image of a minor” wherever it
appears and substituting the language “sexually explicit image of a minor or
an image of sexual activity involving a minor”.

[37-1-102]

SECTION 2. Tennessee Code Annotated, Section 37-1-102(b), is amended
by adding the following as a new subdivision:

“Sexual activity” has the same meaning given in § 39-17-1002;

[Effective date 7/1/2021]

SECTION 3. This act takes effect July 1, 2021, the public welfare requiring
it, and applies to acts committed on or after that date.

PUBLIC CHAPTER NO. 148

SENATE BILL NO. 1266

By Reeves, Robinson

Substituted for: House Bill No. 734

By Smith, Helton, Rudd, Kumar, Hazlewood

AN ACT to amend Tennessee Code Annotated, Title 4; Title 49; Title 63 and Title 68, relative to nursing.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[68-11-209]

SECTION 1. Tennessee Code Annotated, Section 68-11-209(e), is amended by adding the following as a new subdivision:

(5) Notwithstanding a law to the contrary, and pursuant to the authority granted in subsection (a), no later than July 1, 2021, the board shall promulgate emergency rules to permit individuals who qualified as temporary nurse aides in nursing homes on or after the beginning date of the national public health emergency as declared by the United States secretary of health and human services on January 31, 2020, to become certified as nursing assistants in this state and be placed on the nurse aide registry.

[Effective date 4/13/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 149**SENATE BILL NO. 1269****By Reeves**

Substituted for: House Bill No. 877

By Terry, Hazlewood

AN ACT to amend Tennessee Code Annotated, Section 63-10-216, relative to pharmacies.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[63-10-216]

SECTION 1. Tennessee Code Annotated, Section 63-10-216, is amended by deleting the section and substituting the following:

(a)(1) Prior to initial licensure in this state as a compounding pharmacy, a pharmacy located outside of this state must have an inspection by the regulatory or licensing agency of the state in which the pharmacy practice site is physically located. Out-of-state pharmacy practice sites must provide to the board a copy of the most recent inspection by the regulatory or licensing agency of the state in which the pharmacy practice site is physically located, or an equivalent inspection accepted by the board, that must have been within the previous twelve (12) months.

(2) Prior to renewal of its license in this state, an out-of-state pharmacy practice site must provide to the board the most recent inspection by the regulatory or licensing agency of the state in which the pharmacy practice site is physically located, or an equivalent inspection accepted by the board, that must have been within the previous twelve (12) months.

(3) The board may require additional information before issuing or renewing a pharmacy license to ensure compliance with applicable laws of this state and rules of the board.

(b) A compounding pharmacy that has an active license issued by the board shall notify the board within fourteen (14) business days of receipt of an order or decision by a regulatory or licensing agency, other than the board, imposing a disciplinary action, including a warning, on the pharmacy.

(c) A pharmacy engaged in compounding must comply with relevant United States Pharmacopeia (USP) guidelines as adopted by the board by rule.

(d) A pharmacy that engages in sterile compounding, except hospital pharmacies compounding for inpatients of a hospital, shall, upon request, make available to the board the quantity of sterile compounded products dispensed in a defined time period in accordance with rules promulgated by the board. However, the executive director

PUBLIC CHAPTER NO. 149 (cont'd)

of the board may request this information from a hospital pharmacy for cause and the hospital pharmacy shall respond in a timely manner as defined by the executive director of the board.

[Effective date 4/13/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 150**SENATE BILL NO. 1275****By Reeves, Robinson**

Substituted for: House Bill No. 179

By Hall

AN ACT to amend Tennessee Code Annotated, Title 4; Title 63 and Title 68, relative to federally qualified health centers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[63-1-150]

SECTION 1. Tennessee Code Annotated, Section 63-1-150(c)(1), is amended by adding the following as a new subdivision:

(M) Federally qualified health center as defined in 42 U.S.C. § 1396d(l)(2)(B);

[Effective date 7/1/2021]

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 151**SENATE BILL NO. 1381****By Bell**

Substituted for: House Bill No. 1127

By Farmer, Ogles, Hazlewood, Todd, Littleton

AN ACT to amend Tennessee Code Annotated, Title 66, Chapter 27, relative to commerce.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[T. 66, ch. 27, part 7; 66-27-701; 66-27-702; 66-27-703; 66-27-704; 66-27-705]

SECTION 1. Tennessee Code Annotated, Title 66, Chapter 27, is amended by adding the following new part:

66-27-701. Part definitions.

As used in this part:

(1) "Business entity" means a corporation, association, partnership, limited liability company, limited liability partnership, or other legal entity, whether organized for-profit or not-for-profit;

(2) "Declaration" means an instrument, however denominated, that creates a homeowners' association, and amendments to that instrument, including restrictive covenants, bylaws, and similar instruments governing the administration or operation of a homeowners' association;

(3) "Effectively prohibit" means to act or fail to act in a manner that prevents an owner of a residential property that is subject to a declaration, and who is in reasonable compliance with rules and regulations, from using the residential property as a long-term rental property;

(4) "Family" means the members of a household living, on a full-time or a part-time basis, in one (1) dwelling;

(5) "Homeowners' association" means an incorporated or unincorporated association owned by, or whose members consist primarily of, the owners of the residential property covered by the declaration and through which the owners, or the board of directors or similar governing body, manage or regulate the residential subdivision;

(6) "Long-term rental property" means a single family residential real property that is leased by the owner to a lessee for a period of one hundred eighty (180), or more, consecutive days;

(7) "Prohibit" means to forbid or ban, either permanently or temporarily, an owner of a residential property that is subject to a declaration from using the residential property as a long-term rental property;

PUBLIC CHAPTER NO. 151 (cont'd)

(8) "Related" means children, parents, grandparents; any degree of great-grandparents, aunts, or uncles; any degree of great-aunts, great-uncles, or stepparent; cousins of the first degree; first cousins once removed; siblings of the whole or half degree; or a spouse of the above listed relatives;

(9) "Rules and regulations" means written policies, resolutions, guidelines, restrictions, and procedures of a homeowners' association, however denominated, which are not set forth in the declaration and which govern the conduct of persons or the use or appearance of property;

(10) "Single family residential real property":

(A) Means a separate free-standing building intended for use as a dwelling by a single family or individual and that does not have a common or shared roofline with another building intended for use as the dwelling of another; and

(B) Does not include a condominium or unit as those terms are defined by § 66-27-203; and

(11) "Transfer" means the sale, gift, grant, conveyance, assignment, or other transfer of an interest in real property located in this state. However, "transfer" does not mean:

(A) If the owner is an individual, the sale, gift, grant, conveyance, assignment, or other transfer of an interest in real property to:

(i) An individual who is related to the owner;

(ii) An heir; or

(iii) A business entity in which the owner holds an ownership interest; or

(B) If the owner is a business entity, the sale, gift, grant, conveyance, assignment, or other transfer of an interest in real property to another business entity, as long as:

(i) The transferee business entity is wholly owned and completely controlled by the owner or a business entity that wholly owns and completely controls the owner; and

(ii) It is the first sale, gift, grant, conveyance, assignment, or other transfer of an interest in the real property since the owner acquired the interest in the real property.

66-27-702. Provision of voting record upon request.

A homeowners' association shall, upon written request from a member, provide a record of the votes cast in a vote to amend a declaration that prohibits or effectively prohibits the use of residential property as long-term rental property. The record must include the following:

(1) The language of the ballot questions used;

(2) Proof of mailing;

PUBLIC CHAPTER NO. 151 (cont'd)

(3) The number of members present at a meeting at which the vote is taken;

(4) The total number of members of the homeowners' association;

(5) The total number of votes that the governing body of the homeowners' association is entitled to cast;

(6) The number of members required for a quorum; and

(7) The final count of votes cast.

66-27-703. Vested right to lease residential property.

The owner of a property subject to a declaration that is amended to prohibit, or effectively prohibit, the use of single family residential real property as long-term rental property during the period of the owner's ownership of the property has a vested right to use the property as long-term rental property until the owner transfers the property.

66-27-704. Notice of change of business entity information.

(a) A business entity that owns residential property in this state that is subject to a declaration shall send to the homeowners' association for the property a written notice of the following:

(1) A change in contact information for the business entity; or

(2) A transfer of the ownership interest in the residential property.

(b) The business entity must send the notice required by this section within thirty (30) business days of the occurrence of an event listed in subdivision (a)(1) or (a)(2). The business entity may send the notice by electronic means to the homeowners' association and to a property manager designated by the homeowners' association, as long as the homeowners' association has provided the business entity with contact information for the purpose of electronic communications.

66-27-705. Application of part.

This part applies to declaration amendments that are enacted on or after May 1, 2021.

SECTION 2. The headings to sections in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

[Effective date 5/1/2021]

SECTION 3. This act takes effect May 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 152**SENATE BILL NO. 1576****By Bailey**

Substituted for: House Bill No. 401

By Boyd, Hardaway

AN ACT to amend Tennessee Code Annotated, Section 50-6-226, relative to workers' compensation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[50-6-226]

SECTION 1. Tennessee Code Annotated, Section 50-6-226(d)(2), is amended by deleting the subdivision and substituting the following:

(2) Subdivision (d)(1)(B) applies to injuries that occur:

(A) Between July 1, 2016, and June 30, 2020; and

(B) Between July 1, 2021, and June 30, 2023.

[Effective date 7/1/2021]

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 153**SENATE BILL NO. 1589****By Bailey**

Substituted for: House Bill No. 552

By Whitson, Smith, Love

AN ACT to amend Tennessee Code Annotated, Section 63-1-155, relative to store-and-forward telemedicine services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[63-1-155]

SECTION 1. Tennessee Code Annotated, Section 63-1-155(a)(2), is amended by deleting the subdivision and substituting the following:

(2) “Store-and-forward telemedicine services” means the use of asynchronous computer-based communications, which may include the transfer of medical data in an image captured or created by a camera or similar device, between a healthcare provider and patient for the purpose of diagnosis, consultation, or treatment of the patient at a distant site where there may be no in-person exchange between the healthcare provider and the patient; and

(3) “Telehealth,” “telemedicine,” and “provider-based telemedicine” mean:

(A) The use of real time audio, video, or other electronic media and telecommunication technology that enables interaction between a healthcare provider and a patient for the purpose of diagnosis, consultation, or treatment of a patient at a distant site where there may be no in-person exchange between a healthcare provider and a patient; or

(B) Store-and-forward telemedicine services.

[Effective date 4/13/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 154

HOUSE BILL NO. 776

By Representatives Lamberth, Gant, Hazlewood, Smith, Moody

Substituted for: Senate Bill No. 775

By Senators Johnson, Lundberg

AN ACT to amend Tennessee Code Annotated, Section 67-4-2006, relative to COVID- 19 related relief payments.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[67-4-2006]

SECTION 1. Tennessee Code Annotated, Section 67-4-2006(b)(2), is amended by adding the following as a new subdivision:

() Any amount received between March 1, 2020, and December 31, 2021, through the following programs funded by the coronavirus relief fund under the Coronavirus Aid, Relief, and Economic Security (CARES) Act (15 U.S.C. §§ 9001 et seq.), including any extension or modification thereof, or funded by appropriations under other federal law under Title VI of the Social Security Act (42 U.S.C. §§ 301 et seq.), to mitigate the fiscal effects of COVID-19, to the extent such amount would otherwise be included in net earnings or loss as defined in subsection (a):

(i) The Tennessee business relief program or the supplemental employer recovery grant program administered by the department of revenue;

(ii) The coronavirus agricultural and forestry business fund administered by the department of agriculture;

(iii) The hospital staffing assistance program or the emergency medical services ambulance assistance program administered by the department of health; or

(iv) The Tennessee small and rural hospital readiness grants program administered by the departments of economic and community development and finance and administration.

[67-4-2006]

SECTION 2. Tennessee Code Annotated, Section 67-4-2006(b)(2), is amended by adding the following as a new subdivision:

() Any amount received between March 1, 2020, and December 31, 2021, out of the additional funds allocated to the payments to states for the child care and development block grant under the Coronavirus Aid, Relief, and Economic Security (CARES) Act (15 U.S.C. §§ 9001 et seq.), including any extension or modification thereof and the Further Consolidated Appropriations Act, 2020, Pub. L. 116-94, or received

PUBLIC CHAPTER NO. 154 (cont'd)

between March 1, 2020, and December 31, 2021, out of additional funds allocated to the payments to states for the child care and development block grant under other federal law enacted to mitigate the fiscal effects of COVID-19, and administered by the department of human services, to the extent such amount would otherwise be included in net earnings or net loss as defined in subsection (a).

[Effective date 4/14/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 155**SENATE BILL NO. 474**

**By Powers, Yager, Bell, Bowling, Gardenhire, Haile, Jackson, Massey,
Reeves, Roberts, Rose, Stevens, Watson, Walley, White**

Substituted for: House Bill No. 855

By Powers, Lamberth, Leatherwood, Gant, Terry, Zachary, Smith

AN ACT to amend Tennessee Code Annotated, Title 58, Chapter 2, relative to the continuation of business during states of emergency.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[T. 58, ch. 2, part 3; 58-2-301; 58-2-302]

SECTION 1. Tennessee Code Annotated, Title 58, Chapter 2, is amended by adding the following as a new part:

58-2-301. This act is known and may be cited as the “Business Fairness Act.”

58-2-302.

During the existence of a state of emergency declared pursuant to this chapter, a business entity may continue or resume its business if the business entity complies with safety precautions and guidelines issued by the governor, state department or agency, or a county or municipal governing body or agency acting in accordance with this chapter, or any executive order, proclamation, or rule issued pursuant to this chapter, to prevent a threat to the public caused by a pandemic, epidemic, or bioterrorism event, or the appearance of a novel or previously controlled or eradicated infectious agent or biological toxin.

[Effective date 7/1/2021]

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 156**SENATE BILL NO. 8****By Bailey**

Substituted for: House Bill No. 161

By Williams

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36 and Title 8, Chapter 37, relative to retirement.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[8-35-248]

SECTION 1. Tennessee Code Annotated, Section 8-35-248, is amended by deleting the section and substituting instead the following:

(a) Except as otherwise expressly provided by law, should any department, agency, or instrumentality of a participating political subdivision become a separate local governmental entity from the political subdivision, the employees of such entity are not entitled to future membership in the retirement system on account of continued service with the entity unless the chief governing body of the entity elects to become a participating employer pursuant to § 8-35-201.

(b) Upon such election, the chief governing body of the political subdivision may request the retirement system to have an actuarial study conducted to determine the share of the assets of the retirement system attributable to contributions of the political subdivision that would be needed for the entity to maintain a comparable employer contribution rate or funding level as the political subdivision as of the date of separation. Upon receipt of the actuarial study, the chief governing body of the political subdivision has the authority to pass and file with the retirement system a resolution requesting that such amount be transferred from the credit of the political subdivision to the entity.

(c)(1) The chief governing body of the political subdivision may also request the retirement system to have an actuarial study conducted, at the political subdivision's expense, to determine the share of the assets of the retirement system and associated liabilities attributable to the new political subdivision for the time period before or after a department, agency, or instrumentality of the political subdivision became a separate governmental entity participating in the retirement system.

(2) The actuarial study must calculate the political subdivision's pension liability for this period of time based on the following factors:

- (A) Review of assets and liabilities;
- (B) Member creditable service;

PUBLIC CHAPTER NO. 156 (cont'd)

- (C) Demographics and salaries;
- (D) Required and optional plan provisions;
- (E) Contributions made;
- (F) Investment earnings; and

(G) Any other factors that will assist in determining the political subdivision's pension obligations before a part of it became a separate entity.

(3) Based on the results of the actuarial study, the political subdivision and the entity, in consultation with the actuary, may determine payment of the entity's pension liabilities using all, any one (1), or a combination of the factors contained in the actuarial study. The actuary shall compare this calculation to the new entity's assets, liabilities, and the structure and solvency of any of its other pension plans.

(4) Upon receipt of the actuarial study, the chief governing bodies of the political subdivision and the entity have the authority to pass and file with the retirement system resolutions, acceptable to the retirement system in both form and substance, requesting that all or a portion of the assets and the liabilities associated thereto contributed by the political subdivision to fund the pension liability that was accrued while the entity was a part of the political subdivision, be transferred from the retirement system account of the political subdivision to the retirement system account of the new entity. Such transfer must include some or all of the assets with the associated liabilities which may include, without limitation, employer contributions or investment earnings.

(5) Prior to the transfer of some or all of the assets and the associated liabilities from the political subdivision to the new governmental entity, the state treasurer may approve such a request if the political subdivision demonstrates that such a transfer would not negatively impact the long-term solvency of the entity. The state treasurer may require the political subdivision and the entity to provide documentation, including, but not limited to, financial statements, actuarial assessments, and an opinion of an independent actuary.

(d) Any amounts transferred pursuant to this section are considered retirement system assets of the new governmental entity pursuant to chapters 34-37 of this title, and shall not be used for any other purposes.

[Effective date 4/20/2021]

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 157**SENATE BILL NO. 20****By Gilmore, Akbari, Campbell, Yager**

Substituted for: House Bill No. 789

By Cooper, Camper, Love

AN ACT to amend Tennessee Code Annotated, Title 4; Title 7; Title 8; Title 9; Title 39; Title 47; Title 49; Title 63 and Title 68, relative to vapor products.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[68-1-142]

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 1, Part 1, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Junior high school" means a school in which any combination of grades corresponding to grade seven through grade ten (7-10) are taught; however, the school must include grade nine (9);

(2) "Middle school" means a school designed to serve grades five through eight (5-8) only, or any combination of grades five through eight (5-8);

(3) "Senior high school" means a school in which any combination of grades corresponding to grade nine through grade twelve (9-12) are taught; however, the school must include grade twelve (12); and

(4) "Vapor product":

(A) Means a noncombustible product containing nicotine or another substance that employs a mechanical heating element, battery, electronic circuit, or other mechanism, regardless of shape or size, that can be used to produce or emit vapor;

(B) Includes an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product, and a vapor cartridge or other container of a solution containing nicotine or another substance that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product; and

(C) Does not include a product regulated under Chapter V of the federal Food, Drug, and Cosmetic Act (21 U.S.C. § 351 et seq.).

(b) The department of health, in coordination with the department of education, shall disseminate information from the centers for disease control and prevention concerning the health effects and dangers of using vapor products to students in public middle schools, public junior high schools, and public senior high schools in this state.

PUBLIC CHAPTER NO. 157 (cont'd)

[Effective date 4/20/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 158**SENATE BILL NO. 26****By Yager**

Substituted for: House Bill No. 53

By Marsh, Crawford, Hazlewood

AN ACT to amend Tennessee Code Annotated, Section 57-5-201 and Section 67-4-402, relative to extending for an additional six years the existing temporary tax on barrels of beer and bottled soft drinks.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[57-5-201]

SECTION 1. Tennessee Code Annotated, Section 57-5-201(a)(1), is amended by deleting the language "July 1, 2022" and substituting instead the language "July 1, 2028".

[57-5-201]

SECTION 2. Tennessee Code Annotated, Section 57-5-201(a)(2), is amended by deleting the language "July 1, 2022" and substituting instead the language "July 1, 2028".

[67-4-402]

SECTION 3. Tennessee Code Annotated, Section 67-4-402(b)(1), is amended by deleting the language "July 1, 2022" and substituting instead the language "July 1, 2028".

[67-4-402]

SECTION 4. Tennessee Code Annotated, Section 67-4-402(b)(2), is amended by deleting the language "July 1, 2022" and substituting instead the language "July 1, 2028".

[57-5-201, 67-4-402]

SECTION 5. It is the legislative intent that the temporary taxes contained in Tennessee Code Annotated, Sections 57-5-201 and 67-4-402, and first imposed by Chapter 307 of the Public Acts of 1981, are reenacted and extended in accordance with the provisions of this act.

[Effective date 6/1/2021]

SECTION 6. This act takes effect June 1, 2021, the public welfare requiring it, and applies to all tax returns filed on or after June 1, 2021.

PUBLIC CHAPTER NO. 159**SENATE BILL NO. 76****By Roberts, Bowling**

Substituted for: House Bill No. 297

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 49, Chapter 6, Part 22, relative to the state textbook and instructional materials quality commission.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-29-242]

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (49).

[4-29-244; 49-6-2201]

SECTION 2. Tennessee Code Annotated, Section 4-29-244(a), is amended by inserting the following as a new subdivision:

() State textbook and instructional materials quality commission, created by § 49-6- 2201;

SECTION 3. The state textbook and instructional materials quality commission shall appear before the education, health, and general welfare joint evaluation committee no later than December 31, 2021, to update the committee on its progress in addressing the committee's concerns about the commission's answers to questions submitted to it by the division of audit within the comptroller of the treasury.

[Effective date 4/20/2021]

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 160**SENATE BILL NO. 101**

**By Massey, Swann, Akbari, Kyle, Jackson, Rose, Campbell, Walley,
Yarbro**

Substituted for: House Bill No. 183

By Ramsey, Jernigan, Hall, Whitson, Thompson, White, Curtis Johnson,
Helton, Hardaway, Clemmons, Dixie, Mannis, Gillespie, Freeman, Gloria
Johnson, Hazlewood, Powell

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29, Part 2 and
Title 63, relative to art therapy.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

[4-29-244; 63-11-401]

SECTION 1. Tennessee Code Annotated, Section 4-29-244(a), is amended
by inserting the following as a new subdivision:

() Professional art therapist advisory committee of the board of
examiners in psychology, created by § 63-11-401;

**[T. 63, ch. 11, part 4; 63-11-401; 63-11-402; 63-11-403; 63-11-404; 63-11-405;
63-11-406; 63-11-407; 63-11-408; 63-11-409; 63-11-410; 63-11-411]**

SECTION 2. Tennessee Code Annotated, Title 63, Chapter 11, is amended
by adding the following language as a new part:

63-11-401.

(a) The practice of art therapy in this state is declared to affect the
public health, safety, and welfare of citizens of this state.

(b) To assist the board of examiners in psychology in the performance
of its duties, there is established the professional art therapist advisory
committee to protect the public from:

(1) The practice of art therapy by unqualified persons; and

(2) Unprofessional, unethical, and harmful conduct by art
therapy practitioners.

(c) A person shall not represent to be or function as a professional
art therapist in this state unless the person holds a valid license issued
by the advisory committee. The committee shall also regulate the
practice of art therapy.

63-11-402. As used in this part:

(1) "Advisory committee" means the professional art therapist
advisory committee of the board of examiners in psychology, created
by § 63-11-401;

(2) "Appraisal activities":

PUBLIC CHAPTER NO. 160 (cont'd)

(A) Means selecting, administering, scoring, and interpreting art therapy instruments that are used to understand, measure, or facilitate an individual's normal human growth and development; and

(B) Does not include the use of projective techniques in the assessment of personality, nor the use of psychological or clinical tests designed to identify or classify abnormal or pathological human behavior, nor the use of individually administered intelligence tests;

(3) "Art therapy" means the integrated application of psychotherapeutic principles and methods with specialized training in visual art media, the neurobiological implications of art-making and the creative process, and art-based assessment models to assist individuals, families, or groups to improve mental functioning, increase self-awareness and self-esteem, resolve conflicts and distress, and enhance social functioning;

(4) "Art therapy certified supervisor" means a person credentialed by the Art Therapy Credentials Board, Inc., to provide supervised clinical experience for an associate art therapist;

(5) "Associate art therapist" means a person holding a master's or doctoral degree in art therapy while engaged in the practice of professional art therapy under supervision as part of clinical training to fulfill the supervised experience requirement for becoming a licensed professional art therapist;

(6) "Board" means the board of examiners in psychology, created by § 63-11-101;

(7) "Certified art therapist" means a person holding national board certification (ATR-sBC) from the Art Therapy Credentials Board, Inc.;

(8) "Credentialed art therapist" means a person holding credentials in good standing with the Art Therapy Credentials Board, Inc., as a registered art therapist (ATR), certified art therapist (ATR-BC), or art therapy certified supervisor;

(9) "Licensed professional art therapist" means a person who is licensed to practice professional art therapy in this state;

(10) "Practice of professional art therapy":

(A) Means rendering or offering to render to individuals, groups, organizations,

or the general public any service as an independent or adjunctive therapist involving the application of art therapy principles, techniques, methods, or procedures; and

(B) Includes, but is not limited to, therapeutic interventions to facilitate alternative modes of receptive and expressive communication, development of treatment plans, appraisal activities, consulting and referral activities, and prevention and treatment of mental and emotional conditions; and

PUBLIC CHAPTER NO. 160 (cont'd)

(11) "Supervision" means the regular observation and oversight of the functions and activities of a graduate art therapy student as part of an internship or practicum experience, or an associate art therapist engaged in the practice of art therapy to fulfill the requirements for licensure under § 63-11-405.

63-11-403.

(a) The professional art therapist advisory committee of the board of examiners in psychology consists of three (3) members appointed by the governor. The advisory committee is authorized to issue licenses to persons who meet the requirements specified in this part, and to promulgate rules for the implementation of the part, including, but not limited to, the setting of fees and the establishment of disciplinary actions. The advisory committee shall maintain a list of all licensees and shall provide the list to any interested party on written request.

(b) Advisory committee members must be licensed professional art therapists and must be actively engaged in the practice or teaching of art therapy in this state at the time of their appointment, except that initial appointments to the advisory committee made prior to the promulgation of rules to implement this part must be certified art therapists who are residents of this state and have engaged in the practice of art therapy for not less than five (5) years.

(c) The governor shall consult with interested art therapy groups, including, but not limited to, a professional organization that represents the profession of art therapy in this state, to determine qualified persons for appointment as advisory committee members.

(d)(1) Except as provided in subdivision (d)(2), the terms of the members of the advisory committee are three (3) years.

(2) In order to stagger the terms of the newly appointed advisory committee members, initial appointments are to be made as follows:

(A) One (1) person appointed pursuant to subsection (a) shall serve an initial term of one (1) year, which expires on June 30, 2022;

(B) One (1) person appointed pursuant to subsection (a) shall serve an initial term of two (2) years, which expires on June 30, 2023; and

(C) One (1) person appointed pursuant to subsection (a) shall serve an initial term of three (3) years, which expires on June 30, 2024.

(3)(A) Following the expiration of members' initial terms as prescribed in subdivision (d)(2), all three-year terms must begin on July 1 and terminate on June 30, three (3) years thereafter.

(B) In the event of a vacancy, the governor shall fill the vacancy for the unexpired term. Each member shall serve until a successor is duly appointed and qualified.

PUBLIC CHAPTER NO. 160 (cont'd)

(C) Members are eligible for reappointment to the advisory committee following the expiration of their initial terms, but shall serve no more than two (2) consecutive three-year terms.

(e) All reimbursement for travel expenses must be in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter. Members of the advisory committee serve without compensation, but are entitled to receive necessary travel and other appropriate expenses while engaged in committee business.

(f) The division of health related boards in the department of health shall provide administrative support to the advisory committee.

(g)(1) The advisory committee shall meet at least twice a year and may hold additional meetings as the advisory committee may determine necessary to carry out its duties under this part.

(2) Any member who misses more than fifty percent (50%) of the scheduled meetings in a calendar year may be removed as a member of the advisory committee.

(3) The chair of the advisory committee shall promptly notify, or cause to be notified, the appointing authority of any member who is removed for failing to satisfy the attendance requirement as prescribed in subdivision (g)(2).

(h) The advisory committee shall elect a chair from among its members at the first meeting held each fiscal year.

(i) Any actions taken in accordance with this part are only effective after adoption by majority vote of the members of the advisory committee and after adoption by a majority vote of the members of the board at the next board meeting at which administrative matters are considered following the adoption by the advisory committee.

63-11-404.

(a) The advisory committee shall:

(1) Promulgate rules for the implementation of this part, including rules to establish:

(A) Requirements and procedures for licensure and licensure renewal for licensed professional art therapists and associate art therapists;

(B) Standards of practice, ethics, and professional responsibility to govern the conduct of persons licensed under this part;

(C) Standards and requirements for engaging in private outpatient independent practice of professional art therapy;

(D) Procedures for investigating reports of professional misconduct and unlawful acts by licensed professional art therapists; and

(E) Criteria and procedures for licensure by endorsement and reciprocity, waiver of examinations, and temporary licenses;

PUBLIC CHAPTER NO. 160 (cont'd)

(2) Establish reasonable and necessary fees for licensure and licensure renewal that, in the aggregate, cover the cost of administering this part; and

(3) Maintain a list of persons holding licenses under this part, to be provided to any interested party upon written request.

(b) The advisory committee shall also:

(1) Review issues related to complaints and disciplinary actions involving licensed professional art therapists;

(2) Review the qualifications of licensure applications and issue licenses to individuals who meet the requirements for licensure under this part;

(3) Establish requirements for supervised clinical practice by associate art therapists engaged in the practice of professional art therapy to fulfill requirements for licensure under this part;

(4) Establish guidelines and criteria for continuing education for the renewal of licenses; and

(5) Perform additional duties and responsibilities as requested by the board.

(c) The rules promulgated by the advisory committee for the implementation of this part must:

(1) Provide for the requirements for licensure as set forth in § 63-11-405; and

(2) Take into consideration the standards of ethics and professional conduct of the Code of Ethics, Conduct and Disciplinary Procedures of the Art Therapy Credentials Board, Inc., and other national mental health organizations in effect on January 1, 2021.

63-11-405.

(a) Applicants for licensure as a licensed professional art therapist shall submit an application and fee to the advisory committee. The application must include evidence that the applicant meets the following requirements for licensure:

(1) The applicant has attained the age of majority;

(2) The applicant is of good moral character and conducts the applicant's professional activities in accordance with accepted professional and ethical standards;

(3) The applicant has not had a professional credential refused, revoked, suspended, or restricted and does not have a complaint, allegation, or investigation pending in any regulatory jurisdiction in the United States or in another country for unprofessional conduct, unless the advisory committee finds that the conduct has been corrected or that mitigating circumstances exist that prevent resolution;

(4) The applicant has:

(A) Received a master's degree or doctoral degree in art therapy from a program approved by the American Art Therapy

PUBLIC CHAPTER NO. 160 (cont'd)

Association or accredited by the Commission on Accreditation of Allied Health Education Programs at the time the degree was conferred, and has completed not less than one thousand (1,000) client contact hours of experience after the master's degree was conferred under the supervision of an art therapy certified supervisor, licensed professional art therapist, credentialed art therapist, or other licensed mental health professional approved by the advisory committee. At least one-half (1/2) of the required supervision hours must be provided by an art therapy certified supervisor, licensed professional art therapist, or certified art therapist; or

(B) Received a master's degree or doctoral degree from a college or university that was accredited by a national or regional accrediting organization recognized by the Council for Higher Education Accreditation in a program with a graduate-level course of study and clinical training that, as determined by the advisory committee, is equivalent to an approved or accredited program in art therapy, and has completed not less than one thousand five hundred (1,500) hours of client contact experience after the qualifying degree was conferred under the supervision of an art therapy certified supervisor, licensed professional art therapist, credentialed art therapist, or other licensed mental health professional approved by the advisory committee. At least one-half (1/2) of the required supervision hours must be provided by an art therapy certified supervisor, licensed professional art therapist, or certified art therapist; and

(5) The applicant has passed the board certification examination of the Art Therapy Credentials Board, Inc.

(b) A person holding a national credential in good standing as a certified art therapist is deemed to have met the requirements of this section upon submitting an application and fee and providing evidence satisfactory to the advisory committee that the applicant:

(1) Is of good moral character and conducts the applicant's professional activities in accordance with accepted professional and ethical standards; and

(2) Has not had a professional credential refused, revoked, suspended, or restricted and does not have a complaint, allegation, or investigation pending in any regulatory jurisdiction in the United States or in another country for unprofessional conduct, unless the advisory committee finds that the conduct has been corrected or that mitigating circumstances exist that prevent resolution.

63-11-406.

(a) The advisory committee may, at its discretion, grant a license to any person residing or employed in this state who is licensed by a similar entity in another state whose standards, as determined by the advisory committee, are not less stringent than the standards required by this part.

PUBLIC CHAPTER NO. 160 (cont'd)

(b) The advisory committee may enter into a reciprocal agreement with another state or jurisdiction that licenses individuals engaged in the practice of professional art therapy, if the advisory committee determines that the other state has substantially similar or more stringent licensing requirements than this state.

63-11-407.

(a) A licensed professional art therapist license issued under this part is valid for twenty-four (24) months from the date of issuance.

(b) A licensee requesting renewal of a license must provide the following to the advisory committee in advance of the expiration date of the license:

(1) A completed application on a form provided by the advisory committee and payment of the fee set by the advisory committee; and

(2) A certified or sworn statement to the advisory committee that the licensee:

(A) Has completed at least forty (40) hours of continuing education prior to the expiration date of the license; and

(B) Has not had a professional credential revoked, suspended, or restricted by the Art Therapy Credentials Board, Inc., and does not have a complaint, allegation, or investigation pending in this state or in any regulatory jurisdiction for unethical or unprofessional conduct.

(c) If a licensee fails to submit an application for license renewal and to pay any fee required by the advisory committee prior to the expiration date of the license, then the license is automatically revoked by the advisory committee without further notice or hearing, unless renewal is completed and all fees are paid prior to the expiration of sixty (60) days from the date of the expiration of the license.

(d) A person whose license is automatically revoked under this section may apply in writing to the advisory committee for reinstatement of the license. Upon the showing of good cause by the person and submitting documentation that all continuing education requirements have been satisfied, the advisory committee may reinstate the license upon the payment of all fees set by the advisory committee.

(e) Applicants and licensees must notify the advisory committee of the following within thirty (30) days of their occurrence:

(1) A change of name, address, or other vital information;

(2) The filing of any criminal charge or civil action against the applicant or licensee;

(3) The initiation of any disciplinary charges, investigations, findings, or sanctions by a healthcare organization, federal or state agency, or other professional association against the applicant or licensee; and

(4) Any other change in information provided by the applicant or licensee to the committee.

PUBLIC CHAPTER NO. 160 (cont'd)

63-11-408.

(a) A person shall not use the title "licensed professional art therapist" or "licensed art therapist," or use an abbreviation to indicate or imply that the person is a licensed professional art therapist, in this state unless the person holds a license issued by the advisory committee under this part. This subsection (a) does not prohibit an associate art therapist from using the title "associate art therapist" in accordance with this part.

(b) A person shall not practice professional art therapy unless the person is:

(1) Licensed by the advisory committee as a licensed professional art therapist;

(2) An associate art therapist, as long as the person uses the title of "associate art therapist" and does not represent themselves to the public as a licensed professional art therapist; or

(3) Exempt from licensure under § 63-11-410.

(c) A violation of this section is a Class B misdemeanor, punishable by a fine only, the suspension or revocation of a license issued under this part, or both a fine and loss of licensure.

63-11-409.

(a) A licensed professional art therapist may practice independently for and with organizations that include, but are not limited to, addiction and rehabilitation centers, art studios and centers, behavioral health hospitals and outpatient settings, cancer treatment centers, community centers, community services boards, correctional facilities, disability services, eating disorder clinics, government agencies, medical hospitals and outpatient settings, military bases and veterans and family services, museums, nonprofits, nursing homes, physical rehabilitation, residential treatment centers, schools, senior living facilities, state programs, and wellness centers.

(b) Until the advisory committee promulgates rules to establish the requirements for private outpatient independent practice by a licensed professional art therapist, a licensed professional art therapist may only work in a private, outpatient independent setting if the patient is referred to the therapist by:

(1) A physician licensed under chapter 6 or 9 of this title;

(2) A psychologist licensed under this chapter;

(3) A professional counselor licensed under chapter 22 of this title;

(4) A professional counselor designated as a mental health service provider under chapter 22 of this title;

(5) A marital and family therapist licensed under chapter 22 of this title;

(6) A pastoral counselor licensed under chapter 22 of this title;

PUBLIC CHAPTER NO. 160 (cont'd)

(7) A licensed master's social worker licensed under chapter 23 of this title;

(8) A licensed clinical social worker licensed under chapter 23 of this title; or

(9) Another advanced medical or mental health professional licensed under this title, as determined by the board.

63-11-410.

(a) This part does not:

(1) Require licensure or restrict the activities of a student enrolled in a graduate program in art therapy approved by the advisory committee while practicing art therapy under qualified supervision and as part of an approved course of study; or

(2) Prohibit or restrict the practice of persons authorized to practice under this title who perform services consistent with the scope of practice of their profession and within the scope of their training and competence; provided, that the persons do not represent themselves to the public as a professional art therapist or as holding a license issued under this part.

(b) This part does not permit any method of treatment that involves the administration or prescription of drugs or the practice of medicine in this state or permits a person licensed as a professional art therapist to perform psychological testing.

(c) Subsection (b) does not prohibit a licensed professional art therapist from conducting appraisal activities. Consistent with each licensed professional art therapist's formal education and training, licensed professional art therapists may administer and utilize appropriate art therapy assessment instruments that measure or determine problems or dysfunctions within the context of human growth and development as part of the therapeutic process or in the development of a treatment plan.

63-11-411.

(a) The advisory committee may deny a person's application for a license, restrict, suspend, or revoke an existing license, or take other action that the advisory committee deems proper.

(b) The grounds upon which the advisory committee may exercise the powers enumerated in subsection (a) include, but are not limited to:

(1) Obtaining or attempting to obtain a license by making a false or misleading statement, failing to make a required statement, or engaging in fraud or deceit in any communication to the advisory committee;

(2) Violation or attempted violation, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any criminal statute of this state, any provision of this chapter, a rule

PUBLIC CHAPTER NO. 160 (cont'd)

promulgated by the advisory committee, or any lawful order of the advisory committee issued pursuant to rules;

(3) Gross or repeated negligence, incompetence, misconduct, or malpractice in professional work including, but not limited to:

(A) Any physical or mental condition that currently impairs a licensee's competent professional performance or that poses a substantial risk to the recipient of art therapy services;

(B) Professional conduct that constitutes an extreme and unjustified deviation from the customary standard of practice accepted in the professional practice of art therapy;

(C) Abandonment of a service recipient resulting in the termination of imminently needed care without adequate notice or provision for transition;

(D) Professional recordkeeping or data collection that constitutes an extreme and unjustified deviation from the customary standard of practice for the field, or deceptively altering a service recipient's records or data; and

(E) Unauthorized disclosure of confidential client information, including, but not limited to, client records, art work, and artistic expressions; and

(4) Any other action deemed to be grounds for disciplinary action under § 63-11-215.

(c) All proceedings for disciplinary action against a licensee under this part must be conducted in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

[Effective date 7/1/2022]

SECTION 3. For the purpose of appointing the members of the advisory committee, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2022, the public welfare requiring it.

PUBLIC CHAPTER NO. 161

SENATE BILL NO. 124

By Haile, Jackson, Massey, Rose

Substituted for: House Bill No. 475

By White, Crawford, Smith, Littleton

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 6, Part 16, relative to child abuse reporting.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[49-6-1601]

SECTION 1. Tennessee Code Annotated, Section 49-6-1601(d)(5), is amended by adding the following language at the end of the subdivision:

This subdivision (d)(5) does not apply when federal law or regulation mandates disclosure, the parent to whom the notification is made is not alleged to be the perpetrator or in any way complicit in the abuse or neglect, and the notification is done in conjunction with the department of children's services.

[Effective date 4/20/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 162**SENATE BILL NO. 164****By Lundberg**

Substituted for: House Bill No. 115

By Campbell, Ramsey, Crawford, Lynn

AN ACT to amend Tennessee Code Annotated, Title 49 and Title 71, relative to child care.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[71-3-503]

SECTION 1. Tennessee Code Annotated, Section 71-3-503(a)(6)(A), is amended by deleting the language:

with no child attending more than two (2) days in each calendar week for not more than six (6) hours each day

and substituting the following:

with no child attending more than twelve (12) hours in each calendar week

[Effective date 7/1/2021]

SECTION 2. For the purpose of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 163**SENATE BILL NO. 270**

**By Yager, Massey, Akbari, Bailey, Briggs, Bowling, Campbell,
Gilmore, Haile, Jackson, Reeves, Rose, Walley**

Substituted for: House Bill No. 389

By Littleton, Rudder, Smith, Helton, Doggett, Moody, Holsclaw, Cochran,
Parkinson, Russell, Crawford, Sherrell, Calfee, Bricken, Hardaway, Eldridge,
Hazlewood, Todd, Alexander, Jernigan, Tim Hicks

AN ACT to amend Tennessee Code Annotated, Title 36 and Title 37, relative
to adoption assistance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

[37-5-133]

SECTION 1. Tennessee Code Annotated, Title 37, Chapter 5, Part 1, is
amended by adding the following as a new section:

By July 1, 2022, and every year thereafter, the department of
children's services shall require any person receiving federal or state-
funded adoption assistance from the department for adopting a child
to provide the department with verification from the adopted child's
current medical or mental health professional provider or verification
of full-time school enrollment from the school the child attends. The
medical or full-time school enrollment verification shall consist of a
form or forms developed by the department, but must not require any
records from those providing the verification. The department may
initiate a visit to ascertain the well-being of the child if the person fails
to provide the required documentation.

[Effective date 7/1/2021]

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring
it.

PUBLIC CHAPTER NO. 164**SENATE BILL NO. 274****By Rose, Reeves**

Substituted for: House Bill No. 326

By Moody, Smith, Littleton, Hazlewood, Todd

AN ACT to amend Tennessee Code Annotated, Title 36, Chapter 6, relative to parental rights.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[36-6-102]

SECTION 1. Tennessee Code Annotated, Section 36-6-102, is amended by deleting subsection (a) and substituting instead the following:

(a)(1) Except as provided in subsection (b), a person who has been convicted of aggravated rape pursuant to § 39-13-502, rape pursuant to § 39-13-503, rape of a child pursuant to § 39-13-522, aggravated statutory rape pursuant to § 39-13-506, or statutory rape by an authority figure pursuant to § 39-13-532, from which crime a child was conceived shall not have custody or visitation rights, or the rights of inheritance with respect to that child.

(2) A person who is originally charged with an offense listed in subdivision (a)(1), but is convicted of or pleads guilty or no contest to a lesser included offense, from which crime a child was conceived shall not have custody or visitation rights, or the rights of inheritance with respect to that child.

[Effective date 7/1/2021]

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it, and applies to offenses committed on or after that date.

PUBLIC CHAPTER NO. 165

SENATE BILL NO. 276

By Rose, Walley

Substituted for: House Bill No. 517

By Gant

AN ACT to amend Tennessee Code Annotated, Title 64, Chapter 1, Part 2, relative to the membership of the Chickasaw Basin Authority.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[64-1-212]

SECTION 1. Tennessee Code Annotated, Section 64-1-212, is amended by deleting subsection (a) and substituting:

(a) This part applies to counties within the drainage area of the Chickasaw basin authority, as designated in § 64-1-202, for the purpose of implementing the programs established in this part. Prior to participating in the programs, a county legislative body must first express its desire to participate by resolution, which must then be approved by the Chickasaw basin authority's board of commissioners.

[Effective date 4/20/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 166**SENATE BILL NO. 277****By Rose**

Substituted for: House Bill No. 153

By Moody, Griffey, Littleton, Todd, Helton, Crawford

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 13, relative to disposition of confiscated weapons.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[39-17-1317]

SECTION 1. Tennessee Code Annotated, Section 39-17-1317(1)(1), is amended by deleting the language “other firearms, ammunition, or body armor suitable for use by the law enforcement agency or drug task force” and substituting instead:

other firearms, ammunition, body armor, or equipment suitable for use for legitimate law enforcement purposes by the law enforcement agency or drug task force

[Effective date 7/1/2021]

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 167**SENATE BILL NO. 316****By Johnson, Hensley, Rose**

Substituted for: House Bill No. 1543

By Weaver, Powers, Moody, Howell, Hurt, Alexander, Doggett, Todd, Jerry
Sexton

AN ACT to amend Tennessee Code Annotated, Title 15, Chapter 2, relative to
Star-Spangled Banner Day.

WHEREAS, on September 14, 1814, in Baltimore, Maryland, at the Battle of
Fort McHenry during the War of 1812, Francis Scott Key witnessed the
bombardment of Fort McHenry while being held on a ship; and

WHEREAS, the following morning, upon seeing the American flag still flying
over Fort McHenry, Mr. Key was inspired to write a poem that was titled,
“Defense of Fort M’Henry.” This poem was later set to music and renamed
“The Star-Spangled Banner”; and

WHEREAS, by congressional resolution signed by President Herbert Hoover,
“The Star- Spangled Banner” became the national anthem of the United
States of America on March 3, 1931; and

WHEREAS, it is most appropriate that the General Assembly specially
commemorate that historic day which brought forth the song that proudly
represents the home of the free and the brave; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

[15-2-140]

SECTION 1. Tennessee Code Annotated, Title 15, Chapter 2, is amended
by adding the following language as a new section:

September 14 of each year is observed as “Star-Spangled Banner
Day”, to join with our fellow citizens in celebration of this patriotic
occasion across this state.

[Effective date 4/20/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare
requiring it.

PUBLIC CHAPTER NO. 168**SENATE BILL NO. 334**

By Gilmore, Robinson, Gardenhire, Briggs, Haile, Akbari, Bailey, Jackson, Massey, Pody, Reeves, Watson, White, Yager, Campbell

Substituted for: House Bill No. 843

By Lamar, Hardaway, Freeman, Clemmons, McKenzie, Dixie, Camper,
Mannis

AN ACT to amend Tennessee Code Annotated, Title 41, relative to the health of inmates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[41-21-204]

SECTION 1. Tennessee Code Annotated, Section 41-21-204, is amended by adding the following as a new subsection:

(g)(1)(A) A female inmate who is fifty (50) years of age through seventy-four (74) years of age must be offered a mammogram, primary screening, or other appropriate early breast health screening every two (2) years at no cost to the inmate.

(B) A female inmate who is forty (40) years of age through forty-nine (49) years of age must be offered a consultation with a physician to seek professional care as to when to receive a mammogram or other appropriate early breast health screening.

(2)(A) A correctional institution shall, to the best of the correctional institution's ability, provide inmates with educational programs focused on the importance of preventative healthcare measures that include, but are not limited to, breast self-examination.

(B) As used in this subdivision (g)(2), "correctional institution" means a facility under the authority of this state that has the power to detain or restrain, or both, a person under the laws of this state. A "correctional institution" does not include a county or city jail.

[Effective date 7/1/2021]

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 169**SENATE BILL NO. 386****By Powers**

Substituted for: House Bill No. 454

By Hodges, Hall, Moon, Ragan, Wright, Griffey, White, Hardaway, Whitson,
Stewart, Lamar, Camper, Smith, Todd, Eldridge, Clemmons, Love

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 6, relative to
immunization records.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

[49-6-5002]

SECTION 1. Tennessee Code Annotated, Section 49-6-5002(a), is amended by designating the existing language as subdivision (1) and adding the following as a new subdivision (2):

(2)(A) Notwithstanding subdivision (a)(1), out-of-state immunization records evidencing a child's immunization against the diseases designated by the commissioner of health for purposes of § 49-6-5001(a) are sufficient to permit a child to attend a public school, nursery school, kindergarten, preschool, or child care facility in this state.

(B) A parent of a child immunized in another state against the diseases designated by the commissioner must provide the department of health with the child's out-of-state immunization records for the parent's child to be permitted to attend a public school, nursery school, kindergarten, preschool, or child care facility in this state.

(C) The department shall not require a parent of a child immunized in another state to present the child for medical evaluation in this state in order for the child to obtain a certificate of immunization.

(D) This subdivision (a)(2) only applies to a natural or adopted child or stepchild of a member of the armed forces engaged in active military service of the United States or a member of the Tennessee national guard engaged in active military service of the United States.

[Effective date 7/1/2021]

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 170**SENATE BILL NO. 414****By Yarbro, Robinson, Akbari, Campbell, Rose**

Substituted for: House Bill No. 973

By Dixie, Love, Harris, McKenzie, Parkinson, Camper, Hardaway, Hakeem, Shaw, Towns, Miller, Chism, Lamar, Cooper, Cepicky, Tim Hicks, Moody, Weaver, Warner, White, Sparks, Garringer,

Clemmons

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 6, Part 10, relative to advanced coursework.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[49-6-1012]

SECTION 1. This act is known and may be cited as the “SEM Advancement Act.”

[49-6-1012]

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 6, Part 10, is amended by adding the following as a new section:

(a) As used in this section:

(1) “Academic acceleration policy” means a policy that establishes objective criteria for the enrollment of students into any available advanced English language arts, mathematics, or science courses; and

(2) “Parent” means the parent, guardian, or person who has custody of the child, or individual who has caregiving authority under § 49-6-3001.

(b) By the 2021-2022 school year, a local board of education or public charter school governing body shall develop and adopt an academic acceleration policy for the enrollment of students in grades seven through twelve (7-12) into any available advanced English language arts, mathematics, or science courses.

(c) The objective criteria in an academic acceleration policy developed and adopted pursuant to subsection (b) must include, but is not limited to:

(1) A student’s performance on the most recent Tennessee comprehensive assessment program (TCAP) assessment; and

(2) A student’s grades in the student’s English language arts, mathematics, or science courses.

(d) A local board of education or public charter school governing body may incorporate additional criteria into an academic acceleration

Clemmons (cont'd)

policy developed and adopted pursuant to subsection (b), which may include:

- (1) A student's results on local assessments;
- (2) A student's high school plan of study; and
- (3) Student self-nomination.

(e)(1) An LEA or public charter school shall notify the parent of a student eligible to enroll in an advanced course, pursuant to the LEA's or public charter school's academic acceleration policy, of the student's eligibility to enroll in the advanced course.

(2) The notice required under subdivision (e)(1) must:

- (A) Be provided in writing;
- (B) Inform the student's parent that once enrolled, the student must remain enrolled in the advanced course unless the parent requests, in writing, that the parent's student be removed from the course; and

(C) Provide a date by which the student's parent must submit a written request to the LEA or public charter school to remove the student from the advanced course.

(f) An LEA or public charter school shall not remove a student who is enrolled in an advanced course, pursuant to the LEA's or public charter school's academic acceleration policy, unless:

(1) The student's parent timely submits a request in writing to the LEA or public charter school requesting that the parent's student be removed from the course; or

(2) After no less than thirty (30) days of instruction, the student's teacher in an advanced course determines that, based on the student's performance in the course, the student should be removed from the course and placed in an alternate course. If a teacher determines that a student should be removed from an advanced course pursuant to this subdivision (f)(2), then the student's teacher may submit a request to the principal, or the principal's designee, to remove the student from the advanced course. The principal, or the principal's designee, shall review a removal request made by a teacher pursuant to this subdivision (f)(2), and must either grant or deny the teacher's request.

(g)(1) By October 1, 2022, and each October 1 thereafter, the department of education shall submit a report to the education committees of the senate and the house of representatives containing:

(A) Data collected by the department on the number and demographics of students qualified under this section to enroll in advanced English language arts, mathematics, or science courses in grades seven through twelve (7-12) compared with the numbers and demographics of students not enrolled in advanced English language arts, mathematics, or science courses; and

(B) Information on the type and format of the advanced courses offered by each LEA and public charter school and any feedback

Clemmons (cont'd)

received from LEAs and public charter schools on the implementation of this section.

(2) The department shall post the report described under this subsection (g) on the department's website.

(3) Disclosure under this subsection (g) must comply with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. 1232g); § 10-7-504; the Data Accessibility, Transparency and Accountability Act, compiled in chapter 1, part 7 of this title; and all other relevant privacy laws.

(h) The state board of education is authorized to promulgate rules to effectuate the purposes of this act, including objective criteria for enrollment in available advanced English language arts, mathematics, or science courses that local boards of education or public charter school governing bodies must use to develop the policy required under subsection (b). The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

[Effective date 4/20/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 171

SENATE BILL NO. 473

By Powers, Massey

Substituted for: House Bill No. 867

By Curtis Johnson

AN ACT to amend Tennessee Code Annotated, Section 55-3-126, relative to motor vehicle liens.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[55-3-126]

SECTION 1. Tennessee Code Annotated, Section 55-3-126(f)(1), is amended by deleting the first sentence and substituting instead the following:

A first lienholder or the first lienholder's designee may file an application for motor vehicle temporary lien with the secretary of state.

[Effective date 4/20/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 172**HOUSE BILL NO. 76****By Representatives Lamberth, Gant, Gary Hicks, Hazlewood**

Substituted for: Senate Bill No. 743

By Senator Johnson

AN ACT to amend Tennessee Code Annotated, Section 9-4-301, relative to the deposit of state funds.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[9-4-301]

SECTION 1. Tennessee Code Annotated, Section 9-4-301(c), is amended by adding the following language at the end of the subsection:

Notwithstanding this subsection (c), a department, institution, office, or agency of the state may enter into an agreement with a third party to collect state funds on its behalf under which the third party is permitted to deduct its service fee from the funds collected prior to deposit when such agreement is approved in accordance with title 4, chapter 56.

[9-4-301]

SECTION 2. The chief procurement officer shall file an annual report listing the contracts approved pursuant to Section 1 with the chairs of the finance, ways and means committees of the house of representatives and the senate no later than July 1 each year. It is the duty of all state agencies to furnish to the central procurement office, upon request, data relating to such revenue contracts.

[Effective date 4/20/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 173

HOUSE BILL NO. 99

By Representatives Jernigan, Crawford

Substituted for: Senate Bill No. 245

By Senators Massey, Campbell

AN ACT to amend Tennessee Code Annotated, Title 12, Chapter 2, Part 1, relative to the dynamic accessibility symbol.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[12-2-123]

SECTION 1. Tennessee Code Annotated, Section 12-2-123(c), is amended by adding the following to the end of the subsection:

A state department or agency may conform to the requirements of this section prior to the need to replace or repair existing signage, or renovate any area of real property of this state with respect to such signage, if the state department or agency has the existing resources to make the replacements, repairs, or renovations.

[Effective date 4/20/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 174**HOUSE BILL NO. 175****By Representative Russell**

Substituted for: Senate Bill No. 460

By Senator Bell

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 4, relative to registration plates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[55-4-110]

SECTION 1. Tennessee Code Annotated, Section 55-4-110(b), is amended by deleting the following language:

clearly legible; provided, if a motorcycle is equipped with vertically mounted license plate brackets, its license plate shall be mounted vertically with the top of such license plate fastened along the right vertical edge.

and substituting instead the following:

clearly legible. The mounting or placement of a trailer hitch ball in front of a registration plate shall not be considered when making a determination whether the registration plate is clearly visible. If a motorcycle is equipped with vertically mounted license plate brackets, its license plate shall be mounted vertically with the top of the license plate fastened along the right vertical edge.

[Effective date 4/20/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 175**HOUSE BILL NO. 220**

**By Representatives Hawk, Crawford, White, Powell, Hodges, Doggett,
Williams, Gant, Bricken, Eldridge, Hazlewood, Jernigan, Tim Hicks,
Whitson, Helton, Cepicky**

Substituted for: Senate Bill No. 1048

By Senators Southerland, Jackson

AN ACT to amend Tennessee Code Annotated, Title 4, relative to the David
Crockett Commission.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

[4-8-403]

SECTION 1. Tennessee Code Annotated, Section 4-8-403, is amended by
adding the following as a new subsection:

(c) Once the design of the monument or statue honoring David
Crockett is approved by the state capitol commission and the monument
or statue is completed, the monument or statue must be placed on
a pedestal above the entrance to the Motlow Tunnel on Dr. Martin
Luther King, Jr. Boulevard. If relocation of an existing structure is
required, private funds must be used for the relocation, and state funds
must not be expended for the relocation of an existing structure.

[Effective date 4/20/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare
requiring it.

PUBLIC CHAPTER NO. 176

HOUSE BILL NO. 234

By Representatives Russell, Hazlewood, Helton, Rudder

Substituted for: Senate Bill No. 632

By Senator Massey

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 9, Part 3, relative to required equipment on autocycles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[55-9-308]

SECTION 1. Tennessee Code Annotated, Section 55-9-308, is amended by deleting the section in its entirety and substituting instead the following:

Except as provided in § 55-9-302, this part does not apply to autocycles.

[Effective date 7/1/2021]

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 177

HOUSE BILL NO. 252

**By Representatives Hazlewood, Gant, Calfee, Whitson, Curcio,
Mannis, Bricken**

Substituted for: Senate Bill No. 407

By Senator Stevens

AN ACT to amend Tennessee Code Annotated, Section 68-101-104, relative to electrical safety.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[68-101-104]

SECTION 1. Tennessee Code Annotated, Section 68-101-104, is amended by adding the following as new subsections:

(d) Any person, as defined in § 65-25-102, installing, operating, or otherwise using equipment that delivers electricity to the point of interconnection with a power distribution grid, long-distance power transmission grid, or other facility by and through which the electricity is distributed or transmitted to one (1) or more customers must comply with all relevant national standards, including those established by the Institute of Electrical and Electronic Engineers, Underwriters Laboratories, and the National Electrical Safety Code.

(e) Any equipment that delivers electricity to the point of interconnection with a power distribution grid, long-distance power transmission grid, or other facility by and through which the electricity is distributed or transmitted to one (1) or more customers is subject to the inspection of a state-certified electrical inspector.

(f) Any person, as defined in § 65-25-102, installing, operating, or otherwise using equipment that delivers electricity to the point of interconnection with a power distribution grid, long-distance power transmission grid, or other facility by and through which the electricity is distributed or transmitted to one (1) or more customers shall:

(1) Install:

(A) A manually operating and visible load-breaking disconnect switch on the exterior of the property between the equipment that delivers electricity to the point of interconnection with a power distribution grid, long-distance power transmission grid, or other facility by and through which the electricity is distributed or transmitted to one (1) or more customers that is readily accessible to and may be locked by the applicable non-consumer owned electric system, as defined in § 65-34-102, or public electric system, as defined in § 65-34-102; or

PUBLIC CHAPTER NO. 177 (cont'd)

(B) Other disconnecting safety mechanisms approved by the applicable non-consumer owned electric system, as defined in § 65-34-102, or public electric system, as defined in § 65-34-102; and

(2) Notify the applicable non-consumer owned electric system, as defined in § 65-34-102, or public electric system, as defined in § 65-34-102, prior to interconnection with a power distribution grid, long-distance power transmission grid, or other facility by and through which electricity is transmitted to one (1) or more customers so that the applicable non-consumer owned electric system or public electric system may be present for testing that verifies that all disconnects are fully functional and in proper working order.

(g) Any non-consumer owned electric system, as defined in § 65-34-102, or public electric system, as defined in § 65-34-102, is not liable for fines, penalties, injuries, or damages arising out of any person's, as defined in § 65-25-102, installation, operation, or use of equipment that delivers electricity to the point of interconnection with a power distribution grid, long-distance power transmission grid, or other facility by and through which the electricity is distributed or transmitted to one (1) or more customers.

(h) Copies of the standards of the Institute of Electrical and Electronic Engineers and the National Electrical Safety Code are available for viewing by the public at the office of the electrical inspection section in the department of commerce and insurance during regular state office hours.

[Effective date 4/20/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 178

HOUSE BILL NO. 486

**By Representatives Smith, Hall, Howell, Sherrell, Crawford, Lynn,
Carr, Helton**

Substituted for: Senate Bill No. 662

By Senators Gardenhire, Stevens

AN ACT to amend Tennessee Code Annotated, Title 54 and Title 65, relative to railroads.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[65-1-124]

SECTION 1. Tennessee Code Annotated, Title 65, Chapter 3, Part 1, is amended by adding the following as a new section:

On or before November 1, 2021, and on or before November 1 of each year between 2022 - 2026, the department of transportation shall report to the transportation committee of the house of representatives and the transportation and safety committee of the senate on the data collected on the following website, or any successor website, established by the federal railroad administration (FRA) for the public and law enforcement agencies to report blocked highway-rail grade crossings: www.fra.dot.gov/blockedcrossings. The department shall publish the link to the FRA website in a prominent location on its website. The department shall submit its final report on or before July 1, 2027. From the data available on the website, the department's report must identify the areas in this state impacted by the blocked crossings, such as areas where commerce is impeded or potential public safety risks are posed, and must include the location and length of the obstructions in those areas. The department shall send a copy of each report to the five (5) municipalities with the highest number of areas impacted by blocked crossings.

[Effective date 4/20/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 179

HOUSE BILL NO. 508

**By Representatives Boyd, Freeman, Smith, Whitson, Hardaway,
Hazlewood, Lamar, Camper, Beck, Terry**

Substituted for: Senate Bill No. 1265

By Senators Reeves, Akbari

AN ACT to amend Tennessee Code Annotated, Title 56; Title 63 and Title 68,
relative to telehealth.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

[63-1-155]

SECTION 1. Tennessee Code Annotated, Section 63-1-155(a)(1), is amended by deleting the subdivision and substituting the following:

(1) "Healthcare provider" means:

(A) An individual acting within the scope of a valid license issued pursuant to this title;

(B) A state-contracted crisis service provider that is employed by a facility licensed under title 33;

(C) An alcohol and drug abuse counselor licensed under title 68, chapter 24, part 6; or

(D) A graduate who has completed, or a student actively enrolled in, a professional training program the educational standards of which meet the training requirements for a license under this title or title 68, chapter 24, part 6, as long as the graduate or student:

(i) Is providing telehealth services for the purpose of obtaining hours required for licensure or of otherwise fulfilling the educational requirements to apply for licensure; and

(ii) Is, at all times, supervised by an individual who is licensed under this title or title 68, chapter 24, part 6, with an unencumbered license;

[63-1-155]

SECTION 2. Tennessee Code Annotated, Section 63-1-155(g)(1), is amended by adding the following at the end of the subdivision immediately preceding the period:

or be a graduate or student meeting the requirements of subdivision (a)(1)(D)

[63-1-155]

SECTION 3. Tennessee Code Annotated, Section 63-1-155(h)(1), is amended by deleting the subdivision and substituting the following:

PUBLIC CHAPTER NO. 179 (cont'd)

(1) Notwithstanding subsection (a), for the purposes of this section “healthcare provider” means:

- (A) A provider licensed under this title;
- (B) A state-contracted crisis service provider that is employed by a facility licensed under title 33;
- (C) An alcohol and drug abuse counselor licensed under title 68, chapter 24, part 6; or
- (D) A graduate who has completed, or a student actively enrolled in, a professional training program the educational standards of which meet the training requirements for a license under this title or title 68, chapter 24, part 6, as long as the graduate or student:
 - (i) Is providing telehealth services for the purpose of obtaining hours required for licensure or of otherwise fulfilling the educational requirements to apply for licensure; and
 - (ii) Is, at all times, supervised by an individual who is licensed under this title or title 68, chapter 24, part 6, with an unencumbered license.

[Effective date 4/20/2021]

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 180

HOUSE BILL NO. 587

By Representatives Haston, Clemmons, Griffey

Substituted for: Senate Bill No. 596

By Senator Hensley

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 6, Part 30, relative to the school term.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[49-6-3004]

SECTION 1. Tennessee Code Annotated, Section 49-6-3004(e)(1), is amended by deleting the second and third sentences of the subdivision and substituting instead:

The excess instructional time may be accumulated in amounts up to, but not exceeding, thirteen (13) instructional days each year, and applied toward meeting instructional time requirements missed due to dangerous or extreme weather conditions and for serious outbreaks of illness affecting or endangering students or staff. Upon approval by the commissioner, the excess instructional time may be used in case of natural disaster or dangerous structural or environmental conditions rendering a school unsafe for use.

[Effective date 7/1/2021]

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 181**HOUSE BILL NO. 633****By Representatives Wright, Crawford**

Substituted for: Senate Bill No. 1263

By Senator Reeves

AN ACT to amend Tennessee Code Annotated, Title 66, Chapter 24, Part 1, relative to certification of electronic documents.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[66-24-101]

SECTION 1. Tennessee Code Annotated, Section 66-24-101(d)(3), is amended by deleting the subdivision and substituting instead the following:

(3) An electronic document must be certified by either a licensed attorney or the custodian of the original version of the electronic document and the signature of that person must be acknowledged by a notary public. The certification must be transmitted with the electronic document and recorded by the county register as a part of the document being registered. The certification of an electronic document must be in the following form and the text of the certification must be in no less than ten (10) point font:

I, _____, do hereby make oath that I am a licensed attorney and/or the custodian of the original version of the electronic document tendered for registration herewith and that this electronic document is a true and exact copy of the original document executed and authenticated according to law on _____ (date of document).

Affiant Signature

Date

State of _____

County of _____

Sworn to and subscribed before me this __ day of __, 2__.

Notary's Signature

MY COMMISSION EXPIRES: _____

Notary's Seal (if on paper)

[66-24-101]

SECTION 2. Tennessee Code Annotated, Section 66-24-101(d)(4), is amended by deleting the language "July 1, 2007" and substituting "July 1, 2021 ".

PUBLIC CHAPTER NO. 181 (cont'd)

[Effective date 7/1/2021]

SECTION 3. This act takes effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 182**HOUSE BILL NO. 716**

**By Representatives Hurt, White, Whitson, Faison, Williams, Kumar,
Crawford**

Substituted for: Senate Bill No. 895

By Senators Stevens, Lundberg, Pody

AN ACT to amend Tennessee Code Annotated, Title 66, Chapter 28, relative to the Uniform Residential Landlord and Tenant Act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[66-28-102]

SECTION 1. Tennessee Code Annotated, Section 66-28-102, is amended by adding the following as a new subsection:

In the counties in which this chapter applies, this chapter occupies and preempts the entire field of legislation concerning the regulation of landlords and tenants. The governing body of a county subject to this chapter shall not enact or enforce regulations that conflict with, or are an addition to, this chapter.

[66-28-102]

SECTION 2. Tennessee Code Annotated, Section 66-28-102(a), is amended by deleting the language “or any subsequent federal census”.

SECTION 3 This act takes effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 183**HOUSE BILL NO. 763****By Representatives Gillespie, Hazlewood**

Substituted for: Senate Bill No. 701

By Senator Powers

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 4 and Title 49, Chapter 7, relative to higher education reports.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[49-4-903]

SECTION 1. Tennessee Code Annotated, Section 49-4-903, is amended by deleting subsections (c) and (d) and substituting:

(c) Postsecondary educational institutions that enroll students receiving scholarships or grants under this part shall provide all information required by TSAC and THEC that is necessary for administering, reviewing, and evaluating the programs. TSAC and THEC may choose to collect data from higher education institutions or through the University of Tennessee system, board of regents, the state universities, or the Tennessee Independent Colleges and Universities Association. TSAC and THEC shall maintain confidentiality of individual student records in accordance with the Family Educational Right to Privacy Act (20 U.S.C. § 1232g).

[49-4-708]

SECTION 2. Tennessee Code Annotated, Section 49-4-708(e), is amended by deleting the subsection and substituting:

TSAC and the Tennessee higher education commission shall provide assistance to the general assembly by researching and analyzing data concerning the scholarship program created under this part, including, but not limited to, student success and scholarship retention. TSAC and the Tennessee higher education commission shall publish its findings annually in the report required by § 49-4-903(b).

[49-4-930]

SECTION 3. Tennessee Code Annotated, Section 49-4-930(i)(2), is amended by deleting the subdivision.

[49-7-112]

SECTION 4. Tennessee Code Annotated, Section 49-7-112, is amended by deleting the section and substituting the following:

(a) This section is known and may be cited as the "Skills for Jobs Act."

PUBLIC CHAPTER NO. 183 (cont'd)

(b) To the extent practicable within available resources and subject to the availability of data currently collected by and accessible to state agencies, the Tennessee higher education commission, in partnership with the department of labor and workforce development, the department of economic and community development, the department of education, and any other entity the commission deems appropriate, shall produce an annual report regarding state workforce need projections and credential production. The report must:

(1) Indicate the state's anticipated workforce needs and the number of degrees, certificates, and other credentials that public and private institutions of higher education, including schools authorized under the Tennessee Higher Education Authorization Act, compiled in chapter 7, part 20 of this title, have issued;

(2) To the extent provided by sources external to the commission, indicate the state's offering of career preparation and career training opportunities that high school and postsecondary career and technical education programs, apprenticeship programs, and other public or private workforce training programs have provided;

(3) Identify any workforce needs that may not be met by the education, training, and apprenticeship programs; and

(4) Identify institutions, public or private, that may have the academic programs necessary to meet projected workforce needs.

(c) The department of economic and community development, in collaboration with the department of labor and workforce development, shall identify employer demand for skilled workers. The department of labor and workforce development shall align degree production to employer demand to assess gaps and oversupply. The Tennessee higher education commission and department of education shall identify connections across secondary and postsecondary training that are aligned to meet state workforce needs.

(d) The department of labor and workforce development, the department of economic and community development, and the department of education shall provide data on the state's anticipated workforce needs and other information, as requested by the Tennessee higher education commission, that is necessary to produce the report under subsection (b) by December 1, 2021, and by December 1 of each year thereafter.

(e) The commission, by March 1, 2022, and by March 1 of each year thereafter, shall provide a copy of the report to the education committee and the commerce and labor committee of the senate, the education administration committee and the commerce committee of the house of representatives, and the governor. The commission shall send the report to the commissioners of economic and community development, labor and workforce development, and education. The commission shall also send the report to the board of regents, the University of Tennessee board of trustees, each of the state universities, and the Tennessee Independent Colleges and Universities Association. The

PUBLIC CHAPTER NO. 183 (cont'd)

commission shall work with the department of education to provide the report to the state's public school districts and private elementary, middle, and high schools. The report may be provided electronically.

[49-7-1209]

SECTION 5. Tennessee Code Annotated, Section 49-7-1209, is amended by deleting the section.

[49-7-1203]

SECTION 6. Tennessee Code Annotated, Section 49-7-1203, is amended by deleting subdivision (3) and renumbering the remaining subdivisions accordingly.

[49-7-1210]

SECTION 7. Tennessee Code Annotated, Section 49-7-1210, is amended by deleting the section.

[49-7-210]

SECTION 8. Tennessee Code Annotated, Section 49-7-210, is amended by deleting the section and substituting:

(a) The Tennessee higher education commission shall submit an annual report on the condition of Tennessee higher education to the governor and the general assembly.

(b) This report, which is known as the Tennessee Postsecondary Education Fact Book, must include data from the state universities, the institutions of the board of regents system, and the University of Tennessee system and their governing bodies and, to the extent possible, from the Tennessee Independent Colleges and Universities Association. The fact book must also include available regional and national information to put Tennessee's data in context.

(c) The fact book must address the topics of access, efficiency, productivity, and quality as indicated by, but not limited to, the following performance categories and illustrative indicators:

(1) Student preparation, such as freshman class profiles and learning support placement and success rates, by subject area;

(2) Student participation, such as college-going rates, overall enrollment, and enrollment by critical student subpopulations;

(3) Student progression, such as end-of-term enrollment counts, freshman-to-sophomore retention rates, and the number of students passing credit hour benchmarks under the higher education funding formula;

(4) Student success and completion, such as retention and graduation rates, time to degree, credentials awarded, and credentials awarded per one hundred (100) full-time equivalent enrolled students;

PUBLIC CHAPTER NO. 183 (cont'd)

(5) Workforce participation, such as job placement rates and licensure passage rates;

(6) Academic trends, such as student engagement survey results, changes to the academic program inventory, low-producing academic programs, the number and percentage of accredited programs, and the percentage of lower division instructional courses taught by full-time faculty, part-time faculty and graduate assistants;

(7) Financing trends, such as state appropriation levels and net tuition revenues, state and other revenue per student, and state and other revenue per awarded credential; and

(8) Affordability trends, such as in-state and out-of-state tuition rates, aggregate debt and student default rates, and costs of attendance.

(d) The fact book:

(1) Must include the amount of any federal appropriations made to, and the amount of any matching funds received by, each federal land-grant institution of higher education in this state for each of the agricultural research, extension, education, and related programs established under:

(A) Section 1444 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. § 3221);

(B) Section 1445 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. § 3222);

(C) Sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C. § 343); and

(D) The Hatch Act of 1887 (7 U.S.C. § 361a et seq.);

(2) Must include the amount of any state appropriations made to each federal land-grant institution of higher education in this state for agriculture education; and

(3) May include any additional information that may assist the general assembly in providing equitable funding to each of the federal land-grant institutions of higher education in this state.

(e) The fact book must be published prior to May 1 each year, or as soon as practicable upon receipt of necessary student data from the systems and other sources. The fact book must be made available in web-based and printable formats.

[49-7-211]

SECTION 9. Tennessee Code Annotated, Section 49-7-211, is amended by deleting subsection (a) and substituting:

Each public university and community college shall report to the Tennessee higher education commission, on an annual basis, an accounting of student activity fees.

PUBLIC CHAPTER NO. 183 (cont'd)**[49-7-211]**

SECTION 10. Tennessee Code Annotated, Section 49-7-211, is amended by deleting subsection (d).

[49-7-218]

SECTION 11. Tennessee Code Annotated, Section 49-7-218, is amended by deleting the section.

[Effective date 7/1/2021]

SECTION 12. This act takes effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 184**HOUSE BILL NO. 783****By Representatives Lamberth, Gant, Gillespie**

Substituted for: Senate Bill No. 766

By Senators Johnson, Jackson, Bowling, Haile

AN ACT to amend Tennessee Code Annotated, Title 37, relative to juvenile justice information.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[37-1-187]

SECTION 1. Tennessee Code Annotated, Title 37, Chapter 1, Part 1, is amended by adding the following as a new section:

37-1-_. Quality Statewide Data Collection.

(a) As used in this section:

(1) "Delinquent case" means a court proceeding concerning an alleged delinquent act or delinquent acts resulting in a charge or charges against a child arising out of a single episode;

(2) "Diversion" means the resolution of a delinquent case or unruly case through informal adjustment, pretrial diversion, or judicial diversion;

(3) "Episode" means a delinquent act or group of delinquent acts occurring as part of a continuous sequence, which may involve multiple victims;

(4) "Original offense" means a prior delinquent case or unruly case resulting in:

(A) Informal adjustment;

(B) Pretrial diversion;

(C) Judicial diversion; or

(D) Adjudication that the child was delinquent or unruly;

(5) "Out-of-home placement" means a court-ordered removal of a child from the child's residence while awaiting a court hearing or as part of an order of disposition in a delinquent case or unruly case, including, but not limited to, transfer of temporary legal custody or grant of permanent guardianship that results in a change of residence, commitment to the department of children's services, or placement in an institution, home, or other facility operated under the direction of the court or other local public authority;

(6) "Probation" means a court-ordered disposition in a delinquent case or unruly case in which a child is retained in the community, rather than removed to an out-of-home placement. Probation may be unsupervised or supervised by the court, the department of children's

PUBLIC CHAPTER NO. 184 (cont'd)

services, any person or agency designated by the court, or the court of another state, under conditions and limitations prescribed by the court in consultation with the supervising authority;

(7) "Re-offense" means a subsequent case in which a child is adjudicated delinquent or found unruly based upon conduct occurring within twelve (12) months of the ending date of the diversion, probation, or out-of-home placement resulting from the original offense; and

(8) "Unruly case" means a proceeding concerning an act or set of acts that result in a child being alleged to be an unruly child.

(b) A probation violation is included as part of the delinquent case or unruly case that resulted in the court order placing the child on probation; provided, that if the probation placement resulted from more than one (1) case, the violation must be included only as part of the case containing the most serious offense. A failure to appear is included as part of the delinquent case or unruly case that resulted in the court order requiring the child's appearance; provided, that if the order requiring the child's appearance resulted from more than one (1) case, the violation must be included only as part of the case containing the most serious offense.

(c) Juvenile courts shall assign each child alleged to be delinquent or unruly a unique child identification (ID) number, which the court shall use with respect to each proceeding involving that child.

(d) Each juvenile court, through the juvenile court clerk or juvenile court staff, shall, each month, in a format prescribed by the administrative office of the courts, report to the administrative office of the courts the following information:

(1) Each new delinquent case or unruly case in which a child is charged, including:

(A) The date the case was filed or opened;

(B) The statutory offense or offenses charged;

(C) The child's unique child ID number;

(D) The unique case or docket number, which shall not be the child's unique child ID number; and

(E) The child's name, date of birth, race, sex, ethnicity, and social security number; and

(2) For each case reported pursuant to subdivision (d)(1), the following information, as applicable, along with the unique case or docket number:

(A) For cases that result in diversion, the date the child was placed on diversion, the type of diversion, the ending date for the diversion, and whether the diversion was successfully completed;

(B) The date the child was adjudicated delinquent or found unruly, and on which offenses, or the date the case was dismissed;

PUBLIC CHAPTER NO. 184 (cont'd)

(C) For cases in which the child was adjudicated delinquent, the date the child's validated risk and needs assessment was completed pursuant to § 37-1-164;

(D) The date the case was closed, transferred to another juvenile court, transferred to the criminal court of competent jurisdiction, dismissed, or otherwise disposed of;

(E) For cases that result in probation, the date the child was placed on probation, the type of probation, the ending date of the probation, and whether the probation was successfully completed;

(F) For cases that result in a court-ordered out-of-home placement, the date of the out-of-home placement, the type of out-of-home placement, and the ending date of the out-of-home placement;

(G) Any post-adjudication detention ordered pursuant to § 37-1-131 (a)(3), including the length of detention ordered; and

(H) For cases that result in a petition alleging a probation violation, the date the violation petition was filed, whether the violation petition resulted in diversion or adjudication, the date of the diversion or adjudication, the type of diversion or, if there was an adjudication, whether the violation was sustained or dismissed.

(e) The department of mental health and substance abuse services shall, each month, regarding cases in which a juvenile court refers a child to receive services provided by grantees funded through appropriations to the department under the Juvenile Justice Reform Act of 2018, report to the administrative office of the courts the following information:

(1) The number of children served;

(2) The age, race, sex, and county of residence of the children served;

and

(3) In the case of each child, whether the services were successfully completed or terminated due to unsuccessful completion.

(f) Identifying information received by the administrative office of the courts is confidential; must not be published, released, or otherwise disseminated; and must be maintained in accordance with state and federal laws and regulations regarding confidentiality. The administrative office of the courts may make such data available to properly concerned agencies and individuals, or to any person upon request, but any such publication or release of data must be limited to nonidentifying information. The administrative office of the courts shall develop guidelines and procedures to expunge identifying information collected on juveniles; provided, that such expunction may occur only after the juvenile reaches the age that is beyond jurisdiction of the juvenile court.

(g) Nothing in this section mandates any change in a county's decision regarding the division of reporting responsibility between the

PUBLIC CHAPTER NO. 184 (cont'd)

juvenile court clerk and the youth services officer or any other juvenile court staff member.

[37-1-164]

SECTION 2. Tennessee Code Annotated, Section 37-1-164, is amended by adding the following as a new subsection:

The administrative office of the courts may provide to each juvenile court having jurisdiction over a child charged with a delinquent or unruly offense the results of any validated risk and needs assessment concerning that child completed by another juvenile court; provided, that the judge or magistrate of the court having jurisdiction shall not access, review, or otherwise utilize such results before disposition.

[37-1-506]

SECTION 3. Tennessee Code Annotated, Section 37-1-506, is amended by deleting the section.

[37-1-185]

SECTION 4. Tennessee Code Annotated, Section 37-1-185(1), is amended by deleting the language “§ 37-1-506 and other” and substituting the language “any”.

[37-5-105]

SECTION 5. Tennessee Code Annotated, Section 37-5-105, is amended by deleting subdivision (17)(B)(i)(b) in its entirety.

SECTION 6. The heading to Section 1 in this act is for reference purposes only and does not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the heading in any compilation or publication containing this act.

[Effective date 7/1/2021]

SECTION 7. This act takes effect July 1, 2021, the public welfare requiring it.

PUBLIC CHAPTER NO. 185

HOUSE BILL NO. 866

By Representatives Curtis Johnson, Ragan

Substituted for: Senate Bill No. 269

By Senator Yager

AN ACT to amend Tennessee Code Annotated, Title 57, relative to alcoholic beverages.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[57-3-224]

SECTION 1. Tennessee Code Annotated, Section 57-3-224(a), is amended by adding the following new subdivision:

(3) A delivery service licensee may charge a fee based on a percentage of the sales of the alcoholic beverages or beer being delivered. The delivery service licensee shall not charge a fee that exceeds ten percent (10%) of the price of each alcoholic beverage or beer sold. The delivery service licensee is not responsible for remitting applicable taxes on alcoholic beverages or beer delivered by the licensee. The charging of such a fee must not be construed as the delivery service reselling alcoholic beverages or having a direct or indirect interest in a retailer.

[Effective date 4/20/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 186**HOUSE BILL NO. 992**

**By Representatives Love, Clemmons, Terry, Parkinson, Dixie,
Hardaway, White, Hodges, Powell, Thompson, Stewart, Beck, Ogles,
Freeman, Lamar, Helton, Camper, Hawk, Whitson**

Substituted for: Senate Bill No. 1430

By Senators Akbari, Gilmore, Campbell, Robinson, Yarbrow, Rose

AN ACT to amend Tennessee Code Annotated, Title 4; Title 53; Title 56; Title 63; Title 68 and Title 71, relative to TennCare.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[71-5-166]

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, Part 1, is amended by adding the following as a new section:

(a) This section is known and may be cited as “Terrence’s Law.”

(b) The bureau of TennCare shall conduct an annual review of all medications and forms of treatment for sickle cell disease, and services for enrollees with a diagnosis of sickle cell disease, that are eligible for coverage under the medical assistance program. The purpose of the annual review is to determine if the available covered medications, treatments, and services are adequate to meet the needs of enrollees with a diagnosis of sickle cell disease, and whether the bureau should seek to add additional medications, treatments, or services.

(c) When conducting the annual review required by this section, the bureau of TennCare shall solicit and consider input from the general public, with specific emphasis on attempting to receive input from persons or groups with knowledge and experience in the area of sickle cell disease treatment.

(d) On or before January 15, 2022, and on or before January 15 each year thereafter, the bureau of TennCare shall submit a report to the chief clerks of the senate and the house of representatives for distribution to the appropriate subject matter committees, and to the legislative librarian, that details the bureau’s findings from the annual review required by this section, as well as any recommendations to the general assembly based upon those findings. The bureau shall publish the annual report required by this subsection (d) to its website in a manner accessible by the general public.

[Effective date 4/20/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 187**HOUSE BILL NO. 1085****By Representatives Hodges, Jernigan**

Substituted for: Senate Bill No. 1022

By Senator Powers

AN ACT to amend Tennessee Code Annotated, Title 57, relative to alcoholic beverages.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[57-4-102]

SECTION 1. Tennessee Code Annotated, Section 57-4-102(28), is amended by adding the following new subdivision:

(D) "Premises," when:

(i) Referring to one (1) or more establishments licensed under this chapter; and

(ii) Such establishments are located:

(a) Within a municipality with a population of not less than one hundred thirty-two thousand nine hundred twenty (132,920) and not more than one hundred thirty-two thousand nine hundred twenty-nine (132,929), according to the 2010 and any subsequent federal census; and

(b) Within or adjacent to an area that begins at the northeast intersection of 3rd Street and Main Street, running west to the northeast intersection of Main Street and 2nd Street, north along 2nd Street to the southeast corner of 2nd Street and College Street, southwest along College Street to the southwest intersection of 1st Street and College Street, south on 1st Street to the southwest intersection of 1st Street and Franklin Street, east along Franklin Street to the southeast intersection of Franklin Street and 3rd Street, north to the point of beginning at the northeast intersection of 3rd Street and Main Street, including the pedestrian bridge at College Street and Riverside Drive and along the Clarksville Riverwalk through and including McGregor Park to the end of the Riverwalk at the confluence of the Cumberland and Red Rivers;

includes the area described in subdivision (28)(D)(ii)(b). The granting of a license for a business located within or adjacent to the boundaries of the area described in subdivision (28)(D)(ii)(b) does not preclude the granting of another license to another establishment located within or adjacent to such area;

PUBLIC CHAPTER NO. 187 (cont'd)**[57-4-203]**

SECTION 2. Tennessee Code Annotated, Section 57-4-203(d)(4), is amended by adding the following to the end of the subdivision:

Notwithstanding this subdivision (d)(4), a municipality in which a premise is located under § 57-4-102(28)(D) may, by the adoption of an ordinance by the municipality's governing body, reduce or prescribe the hours and days upon which alcoholic beverages, beer, and wine may be consumed upon such premises; provided, that the ordinance does not expand such hours and days beyond the limitations of this subdivision (d)(4).

[Effective date 4/20/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 188**HOUSE BILL NO. 1096**

**By Representatives Baum, Griffey, Sherrell, Haston, Curcio, Garrett,
Littleton, Crawford, Powers, Keisling, Hazlewood, Todd**

Substituted for: Senate Bill No. 109

By Senators Powers, Crowe, Pody, Rose, Yager

AN ACT to amend Tennessee Code Annotated, Title 39; Title 40 and Title 49,
Chapter 6, Part 41, relative to school discipline.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

[39-11-622]

SECTION 1. Tennessee Code Annotated, Section 39-11-622, is amended by deleting the language “§§ 39-11-611 - 39-11-614 or § 29-34-201” wherever it appears and substituting the language “§§ 39-11-611 - 39-11-614, § 29-34-201, or § 49-6-4107”.

[49-6-4107]

SECTION 2. Tennessee Code Annotated, Section 49-6-4107, is amended by adding the following as a new subsection:

(d) A teacher, principal, school employee, or school bus driver using reasonable force in exercising the person’s lawful authority in accordance with this section is immune from civil liability arising from the person’s action pursuant to § 39-11-622, unless the teacher’s, principal’s, school employee’s, or school bus driver’s conduct is grossly negligent, reckless, or intentional misconduct. A person who is immune under this section is not the proximate cause of any resulting injuries.

[Effective date 7/1/2021]

SECTION 3. This act takes effect July 1, 2021, the public welfare requiring it, and applies to conduct occurring on or after that date.

PUBLIC CHAPTER NO. 189**HOUSE BILL NO. 1285****By Representative Boyd**

Substituted for: Senate Bill No. 1577

By Senators Bailey, Kyle, Akbari, Bowling

AN ACT to amend Tennessee Code Annotated, Title 4; Title 50, Chapter 6 and Title 56, relative to workers' compensation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[50-6-411]

SECTION 1. Tennessee Code Annotated, Section 50-6-411, is amended by deleting the section and substituting:

(a)

(1) In order to carry out the purposes of this chapter, the administrator or the administrator's designee, upon receipt of sufficient information to give reasonable cause that an employer may be in violation of the insurance requirements of this chapter and upon the compliance specialist presenting appropriate credentials to the owner, operator, or agent in charge, is authorized:

(A) To inspect and investigate the places of employment and pertinent conditions; business records, including complete payroll and tax information; certificates of insurance; sign in and sign out sheets for jobsites; and vendor lists; and

(B) To question privately an employer, owner, operator, agent, worker, or employee.

(2) The administrator or the administrator's designee may request, and the general contractor shall provide, a list of amounts paid by the general contractor to subcontractors on the jobsite.

(b) The administrator or the administrator's designee shall designate representatives who may serve subpoenas and other process of the bureau issued under this chapter.

(c)

(1) For the purposes of workers' compensation insurance compliance investigations, the administrator or administrator's designee may issue and serve subpoenas:

(A) For the attendance of witnesses at administrative hearings; and

(B) For the production of books, documents, or other tangible things that may be relevant, or reasonably calculated, to lead to the discovery of relevant information necessary to determine whether the employer is subject to this chapter held by the employer or third parties, including, but not limited to, general contractors,

PUBLIC CHAPTER NO. 189 (cont'd)

subcontractors, intermediate contractors, accountants and tax preparers, insurance agents and carriers, and banking institutions.

(2)

(A) Information requested in a subpoena under subdivision (c)(1)(B) must be submitted to the bureau within twenty-one (21) calendar days of service of the subpoena.

(B) If an employer or entity wishes to dispute the subpoena, then the employer or entity shall submit that dispute with particularity, in writing, to the administrator or the administrator's designee within ten (10) calendar days of service of the subpoena.

(C) Failure to timely comply with the subpoena issued and served under subdivision (c)(1)(B) may result in an assessment by the bureau of civil penalties against the employer and third-party holder of information relevant to the bureau's investigation. The penalties, if assessed by the bureau, may be in an amount not less than fifty dollars (\$50.00) per day per subpoena until the requested information is provided, or five thousand dollars (\$5,000) per subpoena, whichever is less.

(3)

(A) In addition to civil penalties, if a person refuses to obey a subpoena to appear for an administrative hearing or to produce evidence requested by the administrator or the administrator's designee, then the administrator or the administrator's designee may seek an order requiring compliance with the subpoena in the chancery court where the person named in the subpoena resides. The chancery court may find a person who refuses to obey an order requiring compliance with a subpoena in contempt.

(B) In addition to civil penalties, the person who refuses to comply with a subpoena under this section shall pay costs, including reasonable attorneys' fees, court costs, and court reporter attendance and transcription costs, incurred by the administrator or the administrator's designee in obtaining an order to enforce the subpoena.

(4) An employer or entity who is aggrieved pursuant to this section may appeal under the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(d) Penalties assessed pursuant to this section must be deposited in the employee misclassification education and enforcement fund established by § 50-6-913 to be administered by the administrator.

[50-6-412]

SECTION 2. Tennessee Code Annotated, Section 50-6-412, is amended by deleting the section and substituting:

(a) An employer fails to secure workers' compensation if, at any time, an employer:

PUBLIC CHAPTER NO. 189 (cont'd)

(1) Who is required by this chapter to secure or maintain insurance, fails to secure or maintain the payment of workers' compensation insurance coverage; or

(2) Misclassifies employees to avoid proper classification for premium calculations by:

(A) Concealing information pertinent to the computation and application of an experience rating modification factor; or

(B) Materially understating or concealing the amount of payroll, the number of employees, or the employees' duties.

(b)

(1) The bureau shall assess against an employer who has failed to comply with subdivision (a)(1) or (a)(2) a penalty equal to one and one-half (1 1/2) times the accurate average yearly workers' compensation premium, or, if the employer is engaged in the construction industry, as defined in § 50-6-901, the greater of one thousand dollars (\$1,000) or one and one-half (1 1/2) times the accurate average yearly workers' compensation premium when applying appropriate assigned risk rates to the employer's payroll, minus the premium dollars paid, if any, during a period of violation.

(2) If the employer fails to secure the payment of workers' compensation insurance coverage as ordered by the administrator or the administrator's designee within the required time as set forth by the decision, then the bureau shall assess a second penalty, immediately due and payable, equal to the greater of one thousand dollars (\$1,000) or an amount equal to the accurate average yearly workers' compensation premium. The bureau shall hold the second penalty in abeyance if coverage is timely obtained pursuant to the order.

(3) If the administrator or the administrator's designee determines the period of noncompliance is less than twelve (12) consecutive months, then the administrator or the administrator's designee shall prorate any assessed monetary penalty; however, the monetary penalty shall not be less than an amount equal to one (1) month's premium or, in the case of construction services providers, not less than one thousand dollars (\$1,000).

(c)

(1) If the bureau's investigation of an employer reasonably indicates that the employer is subject to this chapter and has failed to comply with the insurance requirements of this chapter, then the bureau shall so notify the employer by certified letter advising the employer of monetary penalties that may be assessed.

(2) The employer shall provide to the bureau, within ten (10) calendar days of the receipt of the certified letter:

(A) Proof that the employer had secured the payment of workers' compensation insurance at all required times; or

PUBLIC CHAPTER NO. 189 (cont'd)

(B) Proof that the employer has not engaged in misclassification of its employees.

(3) If the bureau determines that sufficient proof is not provided, then the administrator or the administrator's designee shall issue a decision ordering the employer to secure payment of workers' compensation insurance coverage and assessing the penalties as described in subsection (b) by certified mail to the employer's last known address.

(d) The employer may request a contested case hearing, in writing, within fifteen (15) calendar days of receipt of the decision assessing monetary penalties. If the request is not made within the fifteen-day period, then the decision becomes final.

(e) The employer has the burden of proof at the contested case hearing and shall produce documentary evidence that the penalties should be reduced.

(f) The contested case hearing must be scheduled to be heard within sixty (60) calendar days from the date of receipt by the bureau of the employer's written request for a contested case hearing pursuant to subsection (d).

(g) The administrator shall notify the agency responsible for the registry, as defined in § 50-6-901:

(1) When an employer engaged in the construction industry, as defined in § 50-6-901, fails to secure payment of compensation, as required by this chapter; and

(2) When an employer engaged in the construction industry, as defined in § 50-6-901, who has failed to secured workers' compensation insurance coverage, as required by this chapter, has secured requisite workers' compensation insurance coverage.

(h) If an employer, or successor in interest, fails to comply with this section two (2) or more times within a five-year period, then the monetary penalty is the greater of three thousand dollars (\$3,000) or three (3) times the average unpaid yearly workers' compensation premium for each second or subsequent violation. The second violation is presumed to be a willful violation subject to rebuttal by the employer, or successor in interest as set forth in subdivision (k)(1), with clear and convincing evidence to the contrary.

(i) If an employer engaged in the construction industry, as defined in § 50-6-901, fails to comply with this section two (2) or more times within a five-year period, in addition to other penalties pursuant to this chapter, then such employer is permanently prohibited from obtaining an exemption pursuant to part 9 of this chapter, and the administrator shall notify the agency responsible for the registry, as defined in § 50-6-901, of the prohibition. As used in this subsection (i), "such employer" includes, but is not limited to, a construction services provider, as defined by § 50-6-901, or successor in interest, who applies

PUBLIC CHAPTER NO. 189 (cont'd)

for or has ever received a workers' compensation exemption pursuant to part 9 of this chapter.

(j)

(1) The administrator or the administrator's designee has the authority to seek an injunction in the chancery court of Davidson County to prohibit an employer from operating its business until the employer has complied with an order by the administrator or the administrator's designee to comply with the insurance requirements of this chapter.

(2) The employer may appeal, pursuant to the Uniform Administrative Procedures Act, compiled at title 4, chapter 5, a decision made, or order issued, by the administrator or the administrator's designee pursuant to this section.

(k)

(1) As used in this section, "successor in interest" means a successor in ownership of any part of a business or enterprise that is carried on and controlled in substantially the same manner as the penalized employer.

(2) A penalty issued under this section must follow an owner of a business, or member of an LLC, that is closed, liquidated, or dissolved, when that owner or member owns or operates any part of a subsequent business that is carried on and controlled in substantially the same manner as the penalized employer.

(3) A successor in interest is liable for a penalty assessed under this section against that employer.

(4) A penalized owner, general contractor, company, corporation, or member of an LLC, or a successor in interest, may appeal a penalty assessment by requesting a contested case hearing pursuant to subsection (d).

(5) The administrator or the administrator's designee may waive a penalty against a penalized owner, general contractor, company, corporation, or member of an LLC, or successor in interest, for good cause.

(I) The funds collected by the administrator or the administrator's designee for penalties assessed for violations of subdivision (a)(2) must be deposited in the employee misclassification education and enforcement fund established by § 50-6-913 to be administered by the administrator.

(m) In addition to the penalties provided for in this chapter, the bureau shall refer cases involving business operations that are in violation of this section to the Tennessee bureau of investigation or the appropriate district or state attorney general for any action deemed necessary under applicable criminal law.

(n) A person that submits an initial exemption registry application, renewal exemption registry application, or insurance application

PUBLIC CHAPTER NO. 189 (cont'd)

that contains false, forged, misleading, or incomplete information to avoid proper classification for premium calculations by concealing information or materially understating or concealing the amount of payroll, the number of employees, or the employees' duties is subject to a civil penalty. The penalty, per violation, is in an amount of up to the greater of one thousand dollars (\$1,000) or the unpaid premium, which is calculated as one and one-half (1 1/2) times the accurate average yearly workers' compensation premium for the employer based on the appropriate assigned risk rate minus the premium dollars actually paid by the employer on the policy that was the object of the understatement or concealment.

[50-6-413]

SECTION 3. Tennessee Code Annotated, Title 50, Chapter 6, Part 4, is amended by adding the following as a new section:

(a) In addition to other remedies provided in this chapter:

(1) If after due notice, an employer defaults in payment of penalties, then the amount due may be collected by civil action in the name of the administrator, and the employer adjudged in default shall pay the costs of the action; and

(2) The administrator or the administrator's designee is authorized to issue a distress warrant against the delinquent employer for the amount of the penalties that may be due and unpaid as of the date of the issuance.

(b) The distress warrant is returnable within thirty (30) days from its date and has the same effect as other distress warrants authorized by law for the collection of delinquent taxes or revenue owed to the state or an agency of the state.

(c) Distress warrants issued under the authority of this chapter for the collection of penalties, arising out of this chapter may, in the discretion of the administrator, be addressed to and delivered to an employee or representative of the bureau for the purpose of execution, and the employee or representative has the same power and authority as a sheriff for the purpose of levying and executing the distress warrant. All costs must be included in the total amount to be collected from the penalized party.

[50-6-905]

SECTION 4. Tennessee Code Annotated, Section 50-6-905, is amended by adding the following as a new subsection:

(f) An exemption that is fraudulent, or where the exemption holder is determined to be an employee is void.

[50-6-908]

SECTION 5. Tennessee Code Annotated, Section 50-6-908(b)(3)(B), is amended by adding the following to the end of the subdivision:

PUBLIC CHAPTER NO. 189 (cont'd)

If a construction services provider fails to perform the notification required in this subdivision (b)(3)(B), then the person or entity for whom the provider provided services is not liable for workers' compensation insurance for the construction services provider.

[50-6-914]

SECTION 6. Tennessee Code Annotated, Section 50-6-914(a), is amended by deleting the subsection and substituting:

(a) Except as provided for in subsection (b), a general contractor, intermediate contractor, or subcontractor is liable for compensation to an employee injured while in the employ of a subcontractor of the general contractor, intermediate contractor, or subcontractor and engaged upon the subject matter of the contract to the same extent as the immediate employer.

[50-6-914]

SECTION 7. Tennessee Code Annotated, Section 50-6-914(b), is amended by adding the following as a new subdivision:

(3) The assessment of retroactive fees or premiums are prohibited pursuant to time periods exempted by this chapter.

[50-6-914]

SECTION 8. Tennessee Code Annotated, Section 50-6-914(b)(2), is amended by adding the following as a new subdivision:

(D)

(i) A construction services provider is not liable for workers' compensation premiums prior to January 1, 2021, for a commercial construction project, as long as the provider held a valid exemption.

(ii) A general contractor, intermediate contractor, or subcontractor is not liable for workers' compensation premiums prior to January 1, 2021, for a construction services provider on a commercial construction project that held a valid exemption.

[5-6-801]

SECTION 9. Tennessee Code Annotated, Section 50-6-801(c), is amended by deleting the subsection and substituting:

(c) Except for funds collected by the administrator or the administrator's designee for penalties assessed for violations of § 50-6-412(a)(2) and (n), which must be deposited in the employee misclassification education and enforcement fund established by § 50-6-913, to be administered by the administrator, the remainder of the funds collected in § 50-6-412 must be deposited in the uninsured employers fund and must be used for payment of the costs incurred by the bureau of workers' compensation to administer the assessment of

PUBLIC CHAPTER NO. 189 (cont'd)

and collection of the other penalties provided in § 50-6- 412, and the costs of administering this part, including, but not limited to, lien fees or fees of third-party administrators.

SECTION 10

(a) This act takes effect July 1, 2021, the public welfare requiring it.

(b) This act ceases to exist July 1, 2024, the public welfare requiring it, at which time the provisions of law changed by this act that were in effect on June 30, 2021, will be revived.

PUBLIC CHAPTER NO. 190**SENATE BILL NO. 205****By Haile, Massey, Jackson, Reeves, Rose**

Substituted for: House Bill No. 200

By Carter, Littleton, Bricken, Leatherwood

AN ACT to amend Tennessee Code Annotated, Title 36, Chapter 1, relative to termination of parental rights.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[36-1-113]

SECTION 1. Tennessee Code Annotated, Section 36-1-113, is amended by deleting subsection (i) and substituting:

(i)(1) In determining whether termination of parental or guardianship rights is in the best interest of the child, the court shall consider all relevant and child-centered factors applicable to the particular case before the court. Those factors may include, but are not limited to, the following:

(A) The effect a termination of parental rights will have on the child's critical need for stability and continuity of placement throughout the child's minority;

(B) The effect a change of caretakers and physical environment is likely to have on the child's emotional, psychological, and medical condition;

(C) Whether the parent has demonstrated continuity and stability in meeting the child's basic material, educational, housing, and safety needs;

(D) Whether the parent and child have a secure and healthy parental attachment, and if not, whether there is a reasonable expectation that the parent can create such attachment;

(E) Whether the parent has maintained regular visitation or other contact with the child and used the visitation or other contact to cultivate a positive relationship with the child;

(F) Whether the child is fearful of living in the parent's home;

(G) Whether the parent, parent's home, or others in the parent's household trigger or exacerbate the child's experience of trauma or post-traumatic symptoms;

(H) Whether the child has created a healthy parental attachment with another person or persons in the absence of the parent;

(I) Whether the child has emotionally significant relationships with persons other than parents and caregivers, including

PUBLIC CHAPTER NO. 190 (cont'd)

biological or foster siblings, and the likely impact of various available outcomes on these relationships and the child's access to information about the child's heritage;

(J) Whether the parent has demonstrated such a lasting adjustment of circumstances, conduct, or conditions to make it safe and beneficial for the child to be in the home of the parent, including consideration of whether there is criminal activity in the home or by the parent, or the use of alcohol, controlled substances, or controlled substance analogues which may render the parent unable to consistently care for the child in a safe and stable manner;

(K) Whether the parent has taken advantage of available programs, services, or community resources to assist in making a lasting adjustment of circumstances, conduct, or conditions;

(L) Whether the department has made reasonable efforts to assist the parent in making a lasting adjustment in cases where the child is in the custody of the department;

(M) Whether the parent has demonstrated a sense of urgency in establishing paternity of the child, seeking custody of the child, or addressing the circumstance, conduct, or conditions that made an award of custody unsafe and not in the child's best interest;

(N) Whether the parent, or other person residing with or frequenting the home of the parent, has shown brutality or physical, sexual, emotional, or psychological abuse or neglect toward the child or any other child or adult;

(O) Whether the parent has ever provided safe and stable care for the child or any other child;

(P) Whether the parent has demonstrated an understanding of the basic and specific needs required for the child to thrive;

(Q) Whether the parent has demonstrated the ability and commitment to creating and maintaining a home that meets the child's basic and specific needs and in which the child can thrive;

(R) Whether the physical environment of the parent's home is healthy and safe for the child;

(S) Whether the parent has consistently provided more than token financial support for the child; and

(T) Whether the mental or emotional fitness of the parent would be detrimental to the child or prevent the parent from consistently and effectively providing safe and stable care and supervision of the child.

(2) When considering the factors set forth in subdivision (i)(1), the prompt and permanent placement of the child in a safe environment is presumed to be in the child's best interest.

(3) All factors considered by the court to be applicable to a particular case must be identified and supported by specific findings of fact in the court's written order.

PUBLIC CHAPTER NO. 190 (cont'd)

(4) Expert testimony is not required to prove or disprove any factor by any party.

(5) As used in this subsection (i), "parent" includes guardian.

[Effective date 4/22/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 191

SENATE BILL NO. 429

By Gardenhire, Walley, Yager

Substituted for: House Bill No. 620

By Rudder, Sparks, Helton, Ramsey, White, Howell, Smith, Powers,
Hazlewood, Curcio, Terry, Cepicky

AN ACT to amend Tennessee Code Annotated, Title 56, Chapter 7, relative to telehealth.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[56-7-1003]

SECTION 1. Tennessee Code Annotated, Section 56-7-1003(a)(6), is amended by adding the following as a new subdivision:

(C) Notwithstanding subdivisions (a)(6)(A) and (B), includes Health Insurance Portability and Accountability Act (HIPM) (42 U.S.C. § 1320d et seq.) compliant audio-only conversation for the provision of behavioral health services when the means described in subdivision (a)(6)(A) are unavailable;

[56-7-1003]

SECTION 2. Tennessee Code Annotated, Section 56-7-1003(a)(6)(A), is amended by deleting the word “Accessibility” and substituting the word “Accountability”.

[Effective date 4/22/2021]

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it, and applies to services delivered on or after the effective date of this act.

PUBLIC CHAPTER NO. 192**SENATE BILL NO. 485****By Gilmore, Akbari, Campbell**

Substituted for: House Bill No. 999

By Love, Hardaway, Stewart, Lamar, Camper, Clemmons, Dixie

AN ACT to amend Tennessee Code Annotated, Title 4 and Title 9, Chapter 4, relative to federal block grant financing and other federal funds.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[9-4-5406]

SECTION 1. Tennessee Code Annotated, Title 9, Chapter 4, Part 54, is amended by adding the following as a new section:

On or before February 1 of each year, each state agency shall submit a written report to the clerks of the senate and the house of representatives to be distributed to all members of the finance, ways and means committees of the senate and the house of representatives summarizing the amount of funds allocated from federal block grants or other federal funds in the preceding fiscal year. The report must also summarize the purposes for which the funds were expended in such fiscal year, the amount of such funds that was unexpended, and any amount that was returned to the federal agency that supplied the original federal block grant or funds.

[Effective date 4/22/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 193**SENATE BILL NO. 540****By Bailey**

Substituted for: House Bill No. 658

By Haston

AN ACT to amend Tennessee Code Annotated, Section 4-56-108, relative to review and approval by the comptroller of the treasury.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[4-56-108]

SECTION 1. Tennessee Code Annotated, Section 4-56-108(a), is amended by deleting the language “after posting any amendments thereto;” and substituting instead the language “prior to posting any amendments thereto;”.

[4-56-108]

SECTION 2. Tennessee Code Annotated, Section 4-56-108(a)(4), is amended by adding the following language at the end of the subdivision immediately preceding the semicolon (;):

with an estimated liability in excess of five million dollars (\$5,000,000), which may be increased or decreased by action of the commission

[4-56-108]

SECTION 3. Tennessee Code Annotated, Section 4-56-108(a)(14), is amended by deleting the subdivision and renumbering the remaining subdivisions accordingly.

[Effective date 4/22/2021]

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 194**SENATE BILL NO. 541****By Walley**

Substituted for: House Bill No. 659

By Campbell

AN ACT to amend Tennessee Code Annotated, Title 2; Title 3; Title 4; Title 8 and Title 67, relative to the office of local government in the office of the comptroller of the treasury.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[2-3-101]

SECTION 1. Tennessee Code Annotated, Section 2-3-101(a)(2)(C), is amended by deleting the language “office of local government,”.

[2-3-102]

SECTION 2. Tennessee Code Annotated, Section 2-3-102(c), is amended by deleting the language “office of local government” and substituting instead the language “comptroller of the treasury”.

[2-3-105]

SECTION 3. Tennessee Code Annotated, Section 2-3-105, is amended by deleting the language “office of local government,”.

[2-3-304]

SECTION 4. Tennessee Code Annotated, Section 2-3-304, is amended by deleting the language “office of local government, the comptroller of the treasury, and the coordinator of elections” and substituting instead the language “comptroller of the treasury and the coordinator of elections”.

[3-1-102]

SECTION 5. Tennessee Code Annotated, Section 3-1-102(9), is amended by deleting the language “office of local government” and substituting instead the language “comptroller of the treasury”.

[3-1-103]

SECTION 6. Tennessee Code Annotated, Section 3-1-103(a)(1), is amended by deleting the language “office of local government,”.

[T. 4, ch. 16; 4-16-101; 4-16-102]

SECTION 7. Tennessee Code Annotated, Title 4, Chapter 16, is amended by deleting the chapter.

PUBLIC CHAPTER NO. 194 (cont'd)**[8-4-103]**

SECTION 8. Tennessee Code Annotated, Title 8, Chapter 4, Part 1, is amended by adding the following as a new section:

(a) The comptroller of the treasury shall:

(1) Assist local governments with geographic information systems technical support, training, and mapping issues related to the administration of property taxes;

(2) Assist and advise local governments with local redistricting and reapportionment;

(3) Compile and maintain precinct boundaries and maps in the state and assist with their development; and

(4) Serve as the liaison with the United States census bureau and participate in its redistricting data program.

(b) This section does not detract from the function, powers, and duties legally assigned to any other agency of this state, or interrupt or preclude direct relationships by any such agency with local governments in carrying out its operations.

[67-4-2109]

SECTION 9. Tennessee Code Annotated, Section 67-4-2109(q)(1)(D), is amended by deleting the language "office of local government,".

[Effective date 4/22/2021]

SECTION 10. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 195**SENATE BILL NO. 543****By Powers**

Substituted for: House Bill No. 661

By Mannis

AN ACT to amend Tennessee Code Annotated, Section 39-17-1351, relative to the audit of handgun permit application fees.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[39-17-1351]

SECTION 1. Tennessee Code Annotated, Section 39-17-1351 (p)(1), is amended by deleting the language: "On an annual basis, the comptroller of the treasury shall audit the bureau to ensure that the extra fifteen dollars (\$15.00) received from each handgun permit application fee is being used exclusively for the purpose set forth in this subsection (p)."

[Effective date 4/22/2021]

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 196

SENATE BILL NO. 547

By Crowe

Substituted for: House Bill No. 1462

By Cochran

AN ACT to amend Tennessee Code Annotated, Title 9, relative to lease financing by local public entities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[T. 9, ch. 24; 9-24-101; 9-24-102; 9-24-103; 9-24-104; 9-24-105; 9-24-106]

SECTION 1. Tennessee Code Annotated, Title 9, is amended by adding the following as a new chapter:

9-24-101. Short title.

This chapter is known and may be cited as the "Uniformity in Local Government Lease Financing Act of 2021."

9-24-102. Chapter definitions.

As used in this chapter, unless the context otherwise requires:

(1) "Exempt lease financing":

(A) Means a lease financing with a principal amount not exceeding one hundred thousand dollars (\$100,000); and

(B) Does not include a lease financing if the principal amount of that lease financing together with the principal amount of all exempt lease financings issued by the public entity previously in the same fiscal year exceeds one hundred thousand dollars (\$100,000);

(2) "Governing body" means the body in which the general legislative powers of a public entity are vested;

(3) "Interest rate" means an interest rate determined using the true interest cost method and taking into account estimated financing costs and charges in determining such rate;

(4) "Lease" means an agreement for the use of property under which a public entity is the lessee;

(5) "Lease financing" means any lease under which:

(A) The rental payments payable thereunder by the public entity include an identifiable interest component; or

(B) The lessee has the right to purchase the property that is subject to the lease at a price that is not based upon the fair market value of the property at the time of the purchase;

(6) "Non-appropriation clause" means a provision in a lease financing that, in effect, allows a governing body to terminate a lease financing by not appropriating funds to make payments under the lease financing in any fiscal year;

PUBLIC CHAPTER NO. 196 (cont'd)**(7) "Public entity":**

(A) Has the same meaning as defined in § 9-21-134; and

(B) Does not include the state; and

(8) "State" means the state of Tennessee and any agency, authority, branch, bureau, commission, corporation, department, or instrumentality of the state.

9-24-103. Relationship to other laws.

This chapter does not expand the authority of any public entity to enter into any lease financing. The authority of any public entity, if any, to enter into a lease financing is derived from the powers of the public entity as set forth in other applicable laws. This chapter does not limit the authority of any public entity to enter into any lease financing, except as is specifically provided in this chapter.

9-24-104. Terms applicable to lease financings.

(a) Public entities shall comply with the following requirements in connection with approving and entering into any lease financing that is not an exempt lease financing:

(1) Prior to entering into a lease financing, a public entity shall obtain the approval of the comptroller of the treasury or the comptroller's designee pursuant to subsection (b), which approval must be submitted to the governing body of the public entity for consideration in connection with any authorization of such a lease financing;

(2) The weighted average maturity of the principal payments under the lease financing must not exceed the estimated weighted average life of the property that is financed through the lease financing;

(3) The public entity shall not enter into a lease financing with respect to property unless the public entity is authorized by applicable law to incur indebtedness to finance such property, and the term of any lease financing must not exceed the maximum term of debt that could be issued by the public entity to finance the property being leased;

(4) If the indebtedness of the public entity is only payable pursuant to applicable law from all or any portion of the revenues of the public entity, the payments by the public entity under the lease financing must only be payable from such revenues; and

(5) If the lease payments under the lease financing are payable from or secured by ad valorem taxes of the public entity and the term of the lease financing exceeds the maximum term of a capital outlay note that may be issued by the public entity under chapter 21, part 6 of this title, the public entity shall not enter into the lease financing without adopting and publishing an initial resolution with respect to the lease financing in the manner described in chapter 21, part 2 of this title, if an initial resolution is required with respect to the type of property being financed, and, if required by the terms of such part, undertaking an election with respect to the lease financing in the manner required by that part.

PUBLIC CHAPTER NO. 196 (cont'd)

(b)(1) When requesting approval of the comptroller, the public entity shall submit a plan of lease financing to the comptroller of the treasury or the comptroller's designee. The comptroller of the treasury or the comptroller's designee may request any additional information as may be required to properly review the proposed plan of lease financing. The comptroller of the treasury or the comptroller's designee shall evaluate each plan of lease financing based on the plan's particular circumstances and shall approve the plan only if a determination is made that the repayment terms are in the public's interest.

(2) The comptroller of the treasury or the comptroller's designee shall report the comptroller's approval or disapproval of the plan of lease financing to the governing body within fifteen (15) business days after receipt of the plan and all requested supplemental documentation.

(3) The governing body may take action on the proposed plan of lease financing:

(A) After receiving the approval of the comptroller of the treasury or the comptroller's designee of the plan of lease financing; or

(B) After the expiration of fifteen (15) business days from the date the plan of lease financing is received by the comptroller of the treasury or the comptroller's designee and no disapproval having been reported by the comptroller of the treasury or the comptroller's designee, whichever date is earlier, the governing body may take such action with reference to the proposed plan of lease financing as it deems advisable in accordance with this part.

(4) The state funding board is authorized to establish guidelines, rules, or regulations with respect to the comptroller of the treasury's approval of lease financing.

(c) A non-appropriation clause in the documents evidencing the lease financing is not required for the lease financing to be a valid obligation of the public entity.

9-24-105. Taxation of property subject to lease financing. All property leased by a public entity is deemed to be property owned by the public entity for purposes of all taxation of the state or any public entity, and such property is exempt from all such taxation to the extent property owned by the public entity is otherwise exempt from taxation.

9-24-106. Applicability clause.

The terms of this chapter apply to any lease financing authorized by a governing body of a public entity on or after January 1, 2022.

SECTION 2. The headings to sections in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

PUBLIC CHAPTER NO. 196 (cont'd)**[Effective date 4/22/2021]**

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 197**SENATE BILL NO. 574****By Yarbro, Crowe, Campbell**

Substituted for: House Bill No. 626

By Tim Hicks, Hawk, Clemmons

AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 33; Title 37; Title 49; Title 63; Title 68 and Title 71, relative to substance use disorder.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[33-1-312]**SECTION 1.**

(a) The department of mental health and substance abuse services, department of human services, department of children's services, department of health, and bureau of TennCare shall actively seek and apply for federal, private, or other available funds, and actively direct available state funds, for the development of recovery programs for residents of this state who are pregnant or are women with children to assist those residents by providing substance use disorder treatment and wrap-around services to support life skills development in outpatient treatment facilities, in residential treatment facilities, or through home visitation programs.

(b) The entities described in subsection (a) shall:

(1) Coordinate wrap-around services that would assist the residents described in subsection (a); and

(2) Report by February 15 each year to the speaker of the house of representatives and the speaker of the senate on funds an entity applied for pursuant to subsection (a), recommendations for changes to statutes or rules to develop recovery programs as described in subsection (a), and benefits realized from recovery programs as described in subsection (a). The report required by this subdivision (b) (2) may be made in conjunction with other reports required by law.

[Effective date 4/22/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 198**SENATE BILL NO. 577****By Crowe**

Substituted for: House Bill No. 704

By Tim Hicks, Hazlewood, Alexander, Camper

AN ACT to amend Tennessee Code Annotated, Title 62, relative to contractors.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:**[62-6-102]**

SECTION 1. Tennessee Code Annotated, Section 62-6-102(4), is amended by redesignating subdivision (E) as subdivision (F), and adding the following as a new subdivision (E):

(E) "Contractor" does not include a person who erects or installs an on-premises device, as defined in § 54-21-102; digital display, as defined in § 54-21-102; or other improvement to a property or structure that is primarily intended to serve as advertising, and for which compensation is not being received and not intended to be received by the owner or occupant of the property or structure;

[Effective date 4/22/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

PUBLIC CHAPTER NO. 199

SENATE BILL NO. 592

By Jackson

Substituted for: House Bill No. 548

By Jernigan

AN ACT to amend Tennessee Code Annotated, Title 63, Chapter 4, relative to chiropractors.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[63-4-102]

SECTION 1. Tennessee Code Annotated, Section 63-4-102(a), is amended by deleting the language “and two (2) consumer members who are not affiliated with the practice of chiropractic” and substituting the language “one (1) member who is a chiropractic X-ray technician or chiropractic therapy assistant and who has been certified in this state for not less than two (2) years, and one (1) consumer member who is not affiliated with the practice of chiropractic”.

[Effective date 4/22/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it, and applies to appointments to the board of chiropractic examiners made on or after the effective date of this act.

PUBLIC CHAPTER NO. 200**SENATE BILL NO. 614****By Bell, Gardenhire**

Substituted for: House Bill No. 205

By Cochran, Russell, Hall, Howell

AN ACT to amend Tennessee Code Annotated, Title 5, Chapter 16 and Title 12, Chapter 9, relative to county boards of public utilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

[5-16-103]

SECTION 1. Tennessee Code Annotated, Section 5-16-103(f), is amended by deleting subdivision (4) and substituting instead the following:

(4) Each member of a board created pursuant to the Interlocal Cooperation Act, compiled in title 12, chapter 9, for the purpose of providing service to two (2) or more counties has increased responsibilities and duties arising as a result of such multi-county service area and is therefore entitled to compensation in an amount not to exceed three hundred dollars (\$300) per month, the exact amount of such compensation to be determined by resolution of such board. Each member of the board, upon the adoption of a resolution by the board, is further entitled to:

(A) Participate in the group medical insurance plan and group life insurance plan provided to board employees;

(B) The reimbursement of premiums paid for equivalent or similar group medical insurance coverage and group life insurance coverage in which the board member participates, provided such premium payments do not exceed the per person cost of the group medical insurance coverage and group life insurance coverage the board provides its own employees; or

(C) The reimbursement of premiums paid for medical insurance coverage by medicare and any medicare supplemental insurance policy.

[Effective date 4/22/2021]

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

Index

A

ACUPUNCTURE.

Occupational and physical therapists.

Dry needling of upper limb not considered
practice of acupuncture, ch 143 (no 1).

ADOPTION.

Adoption assistance, federal or state-funded.

Medical provider verification, ch 163 (no 1).
School enrollment verification, ch 163 (no 1).

Contact veto registry.

Elimination, ch 101 (no 1).

ADVENTURE TOURISM.

Off-highway vehicles.

Definition of class I off-highway vehicle, ch 103
(no 1).

AFRICAN-AMERICAN MUSIC APPRECIATION MONTH.

Observance, ch 95 (no 1).

AGRICULTURE.

Egg promotion board.

Sunsetting and termination of board, ch 14 (no 1).

ALCOHOLIC BEVERAGES.

Barrel tax.

Extension of temporary tax, ch 158 (no 1).

Consumption on premises.

Inventory of retailers.
Sale or transfer of inventory, ch 76 (no 1).

Premises.

Defined, ch 187 (no 1).

Delivery service licenses.

Fees charged by licensees, ch 185 (no 1).

Local option.

Traffic in intoxicating liquors.

Inventory.

Transfer of inventory among licensees, ch 76
(no 1).

Licenses.

Retail licenses, ch 59 (no 1).

Retail food store wine licenses.

Inventory.

Sale or transfer, ch 76 (no 1).

APPROPRIATIONS.

Fiscal years beginning July 2020 and July 2021,

Ex Sess ch 4 (no 1).

ART THERAPY.

Practice of art therapy.

Licensing and regulation, ch 160 (no 1).

ASSISTED-CARE LIVING FACILITIES.

**Electronic transmission of physician, advanced
practice registered nurse or physician
assistant orders,** ch 124 (no 1).

ATHLETICS.

School sports.

Gender for purposes of participation.

Birth certificate gender determines, ch 40 (no
1).

AUTOCYCLES.

Helmets for driver and passenger, ch 176 (no 1).

AUTOMOBILE CLUBS AND ASSOCIATIONS.

Certificates of authority.

Applications, ch 61 (no 1).

Renewal of licenses, ch 61 (no 1).

B

BANKS AND FINANCIAL INSTITUTIONS.

Investment and security powers.

Property acquired in satisfaction of loan.
Holding period, ch 78 (no 1).

BARBER, BEAUTY AND HEALTH MONTH.

Observance, ch 68 (no 1).

BARBERS.

Domestic violence.

Recognizing signs, training.

Applicants for licensure, ch 117 (no 1).

BOARDS AND COMMISSIONS.

Entity review, agencies subject to.

Rulemaking to exempt members of entity from
rules, policies, guidelines, etc.
Restrictions, ch 37 (no 1).

BOATS.

License plates.

Boat transport plates, ch 97 (no 1).

BUDGET.

State budget.

Block grant review.

Report summarizing funds allocated, ch 192
(no 1).

BUSINESS FAIRNESS ACT, ch 155 (no 1).

C

CAPITOL BUILDINGS AND GROUNDS.

David Crockett monument or statue.

Placement of monument or statue, location, ch
175 (no 1).

CHARTER SCHOOLS.

Emergency closing of school to in-person learning and instruction.

Decisionmaking in consultation with health
departments, ch 96 (no 1).

Speech-language pathologists.

Survey to determine sufficiency of staffing to
adequately serve student needs, ch 34 (no 1).

CHICKASAW BASIN AUTHORITY.

Applicability of provisions, ch 165 (no 1).

CHILD ABUSE AND CHILD NEGLECT OR ENDANGERMENT.**Schools and education.**

Reporting by teachers, school officials and other school personnel.

Parental notification when federal law requires, ch 161 (no 1).

CHILD CARE AGENCIES, WELFARE.**Exemptions from licensure.**

Parents' day out programs operated by religious institution or organization, ch 162 (no 1).

CHILD CUSTODY.**Visitation.**

Rape resulting in conception.

Prohibition of custody and visitation rights for persons convicted or pleading guilty to lesser included offense, ch 164 (no 1).

CHIROPRACTORS.**Board of examiners.**

Composition, ch 199 (no 1).

CITIZENS GAS UTILITY DISTRICT (SCOTT AND MORGAN COUNTIES).**Board of trustees.**

Composition, ch 121 (no 1).

CLAIMS AGAINST THE STATE.**Board of claims.**

Incentive programs, ch 98 (no 1).

CLASSIFICATION OF WORKERS.**Workers' compensation.**

Insurance.

Misclassification of employees to manipulate premiums, ch 189 (no 1).

CODIFICATION BILL, ch 33 (no 1).**COIN-OPERATED MACHINES.****Antique coin machines.**

Possession, when legal, ch 65 (no 1).

COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY AND RESILIENCE ACT, ch 138 (no 1).**COMMUNITY SERVICE AGENCIES.****Plans of operations.**

Review and approval, ch 129 (no 1).

COMPTROLLER.**Geographic information systems.**

Assistance to local governments for purposes of property tax administration, redistricting, election maps, etc, ch 194 (no 1).

Purchases.

Items to be reviewed and approved by comptroller, ch 193 (no 1).

CONSERVATION.**Environmental investigation law enforcement officers.**

Law enforcement authority, ch 135 (no 1).

CONSERVATORS FOR PERSONS WITH DISABILITIES.**Appointment.**

Petition, contents, ch 84 (no 1).

Venue in actions for appointment.

County of residence, determination.

Incarcerated persons, ch 133 (no 1).

Involuntary hospitalization in department institution, ch 133 (no 1).

CONTINUING EDUCATION.**Sales and use taxes.**

Exemptions.

Continuing education for professional licensees.

Online access, ch 139 (no 1).

CONTRACTORS.**Defined, ch 198 (no 1).****CORPORATIONS.****Stock and stockholders.**

Meetings.

Remote means, meetings conducted by.

Recordkeeping, ch 85 (no 1).

COSMETOLOGISTS.**Barber, beauty and health month.**

Observance, ch 68 (no 1).

COUNTIES.**Urban type public facilities.**

County board of public utilities.

Multi-county service areas, ch 200 (no 1).

COVID-19.**Death in line of duty.**

Infectious diseases causing disability or death.

COVID-19 or other disease resulting in pandemic and declaration of state of emergency, ch 142 (no 1).

Excise tax.

Net earnings and losses.

Subtractions.

CARES Act and other relief funds, ch 154 (no 1).

C-PACER PROGRAM.**Commercial property assessed clean energy and resilience act, ch 138 (no 1).****CREDIT SERVICES BUSINESSES.****Administration of act.**

Combination of money and expenses credit services businesses act and uniform debt-management services act into single fund, ch 144 (no 1).

CRIMINAL DEFENSES.**Duress.**

Well-grounded apprehension of grave sexual abuse.

2020 Defense Doctrine, ch 83 (no 1).

Retreat, duty.

Human trafficking victims, ch 115 (no 1).

Self-defense.

Well-grounded apprehension of grave sexual abuse.

2020 Defense Doctrine, ch 83 (no 1).

CUMBERLAND TRAIL STATE PARK.

Designation as Justin P. Wilson Cumberland Trail State Park, ch 38 (no 1).

D

DEATH IN LINE OF DUTY.

Infectious diseases causing disability or death.

COVID-19 or other disease resulting in pandemic and declaration of state of emergency, ch 142 (no 1).

DEBT COLLECTION.

State departments and agencies.

Collection of state funds.

Third party collections on behalf of state departments, agencies, etc.

Agreements between state and third party, ch 172 (no 1).

DEBT-MANAGEMENT SERVICES.

Administration of act.

Combination of money and expenses credit services businesses act and uniform debt-management services act into single fund, ch 144 (no 1).

DELINQUENT AND UNRULY CHILDREN.

Camp or other institution or facility for delinquent children.

Placement, ch 105 (no 1).

Data collection by juvenile court, ch 184 (no 1).

Detention of delinquent children.

Secure facility or secure portion of facility.

Grounds for secure detention, ch 105 (no 1).

Telecommunications devices, illegal use.

Sexual activity involving minor, images, ch 147 (no 1).

DISABILITIES, PERSONS WITH.

Public buildings.

Dynamic accessibility symbol and signage.

Updating signs, timing, ch 173 (no 1).

DOMESTIC ABUSE.

Protection orders.

Lifetime orders of protection, ch 60 (no 1).

DOMESTIC VIOLENCE.

Barbers.

Recognizing signs of domestic violence, training.

Applicants for licensure, ch 117 (no 1).

DRIVERS' LICENSES.

Commercial driver license.

Human trafficking convictions.

Permanent suspension of license, ch 112 (no 1).

Minors.

Hardship licenses (class H).

Expiration, ch 137 (no 1).

DRUGS.

Controlled substances.

Monitoring.

Database.

Access to information, ch 136 (no 1).

E

EGG PROMOTION BOARD.

Sunsetting and termination of board, ch 14 (no 1).

ELECTIONS.

Boundaries.

Change.

Comptroller's role, ch 194 (no 1).

Signs.

Campaign signs on private property.

Applicability of Freedom of Speech Act, ch 93 (no 1).

ELECTRICITY.

Safety.

Worker safety, ch 177 (no 1).

EMERGENCY COMMUNICATIONS DISTRICTS.

Bond issues.

Terms and conditions, ch 128 (no 1).

EMERGENCY DECLARATIONS.

Business fairness act.

Continuation of business during states of emergency, ch 155 (no 1).

ESPORTS.

Excise tax.

Credits.

Film, pilot episodes, video games, audio or visual post-production or other qualified production activities.

Qualified payroll expenses, taking as credit against franchise or excise tax, ch 70 (no 1).

Franchise tax.

Credits.

Film, pilot episodes, video games, audio or visual post-production or other qualified production activities.

Qualified payroll expenses, taking as credit against franchise or excise tax, ch 70 (no 1).

Sales and use taxes.

Exemptions.

Film, pilot episodes, video games, audio or visual post-production or other qualified production activities.

Tangible personal property, software or services used for qualified productions, ch 70 (no 1).

EVELYN BOSWELL'S LAW, ch 107 (no 1).

EXCISE TAX.

Credits.

Film, pilot episodes, video games, audio or visual post-production or other qualified production activities.

Qualified payroll expenses, taking as credit against franchise or excise tax, ch 70 (no 1).

Net earnings and losses.

Subtractions.

CARES Act and other relief funds, ch 154 (no 1).

F

FIREARMS AND OTHER WEAPONS.**Carrying.**

Handguns.

Legal carry, ch 108 (no 1).

Confiscation.

Exchange by law enforcement for equipment usable for legitimate law enforcement purposes, ch 166 (no 1).

FIRST PEOPLES OF TENNESSEE.

Cultural groups recognized as Tennessee's first peoples, ch 58 (no 1).

FIRST RESPONDERS.**Motor vehicle registration.**

Expressive language or communication of needs to law enforcement or other first responders, assistance with.

2021 Precious Cargo Act, ch 55 (no 1).

FLAG DISPLAYS.

Condominiums, planned unit developments, residential subdivisions, etc.

Applicability of provisions, ch 80 (no 1).

4-H.**SCHOOLS AND EDUCATION.**

Student participation in 4-H activity, ch 116 (no 1).

FRANCHISE TAX.**Credits.**

Film, pilot episodes, video games, audio or visual post-production or other qualified production activities.

Qualified payroll expenses, taking as credit against franchise or excise tax, ch 70 (no 1).

FUNERAL DIRECTORS AND EMBALMERS.**Alkaline hydrolysis.**

Regulation on use, ch 141 (no 1).

G

GAMBLING.**Antique coin machines.**

Possession, when legal, ch 65 (no 1).

GENERAL ASSEMBLY.**Committees.**

Renaming of certain committees, ch 64 (no 1).

Districts.

Comptroller's role, ch 194 (no 1).

Marriage.

Solemnization.

General assembly members presiding, ch 119 (no 1).

GROUND AMBULANCE SERVICE PROVIDER ASSESSMENTS.

Calculation of assessment, ch 122 (no 1).

Sunset of assessment, ch 122 (no 1).

H

HANDGUN CARRY PERMITS.**Fees.**

Audit of TBI.

Repeal, ch 195 (no 1).

HEALING ARTS.**Quality improvement committees.**

Federally qualified health centers.

Inclusion within definition of healthcare organization, ch 150 (no 1).

HEALTH.**County health departments.**

Boards of health.

Agriculture regulation, ch 106 (no 1).

Department of health.

Dementia and cognitive impairment.

Education of healthcare professionals and public health practitioners, ch 114 (no 1).

Vapor products.

Information from CDC as to health effects and dangers of vapor products.

Dissemination to middle and high school students, ch 157 (no 1).

HIGHWAYS.**Railroad grade crossings.**

Reporting blocked highway-rail grade crossings, ch 178 (no 1).

HOLIDAYS AND SPECIAL DAYS OF OBSERVANCE.

African-American music appreciation month, ch 95 (no 1).

Barber, beauty and health month, ch 68 (no 1).

Juneteenth, ch 89 (no 1).

Star-Spangled Banner day, ch 167 (no 1).

Tennessee manufacturing day, ch 132 (no 1).

Women's veterans day, ch 35 (no 1).

HOME ADDRESS CONFIDENTIALITY PROGRAM.

Application for program, ch 140 (no 1).

HOME CARE ORGANIZATIONS.

Electronic transmission of physician, advanced practice registered nurse or physician assistant orders, ch 124 (no 1).

HOMEOWNERS' ASSOCIATIONS.**Long-term rentals.**

Declarations barring.

Business entities owning residential property, ch 151 (no 1).

Grandfathering right to lease residential property otherwise barred by amended declaration, ch 151 (no 1).

Voting records of HOA, ch 151 (no 1).

Water on property.

Signs warning of health, safety or dangerous natural conditions.

Restrictions on authority of associations, ch 80 (no 1).

HUMAN RESOURCE AGENCIES.

Bonds, surety, ch 131 (no 1).

HUMAN TRAFFICKING.

Criminal defenses.

Retreat, duty.

Human trafficking victims, ch 115 (no 1).

Drivers' licenses.

Commercial driver license.

Convictions for human trafficking.

Permanent suspension of license, ch 112 (no 1).

I

INDIANS.

Cultural groups recognized as Tennessee's first peoples, ch 58 (no 1).

INDUSTRIAL LOAN AND THRIFT COMPANIES.

Fees.

Closing fees, ch 91 (no 1).

Service charges, ch 91 (no 1).

INSURANCE POLICIES.

Assignment of rights, duties or benefits, ch 67 (no 1).

J

JUNETEENTH.

Observance, ch 89 (no 1).

L

LANDLORD AND TENANT.

Lease financing.

Local government lease financing.

Uniformity in local government lease financing act of 2021, ch 196 (no 1).

Leases.

Termination of tenancy.

Manager testimony against tenant in same manner as landlord or owner, ch 100 (no 1).

Uniform residential landlord and tenant act.

Manager testimony against tenant in same manner as landlord or owner, ch 100 (no 1).

Preemption of county regulation in counties where act applicable, ch 182 (no 1).

LEARNING LOSS REMEDIATION AND STUDENT ACCELERATION ACT, Ex Sess ch 1 (no 1).

LICENSE PLATES.

Boat transport plates, ch 97 (no 1).

Display.

Trailer hitch ball, effect on visibility, ch 174 (no 1).

LIENS.

Motor vehicles.

Temporary liens.

Application, ch 171 (no 1).

LIFETIME ORDERS OF PROTECTION, ch 60 (no 1).

LIMITATION OF ACTIONS.

TennCare (medical assistance).

Bureau of TennCare.

Claims against decedents' estates, ch 102 (no 1).

LITERACY SUCCESS ACT, Ex Sess ch 3 (no 1).

LOCAL GOVERNMENT.

Lease financing.

Uniformity in local government lease financing act of 2021, ch 196 (no 1).

Office of local government.

Repeal of provisions, ch 194 (no 1).

LOCAL GOVERNMENT PUBLIC OBLIGATION LAW.

Capital outlay notes.

Comptroller approval, ch 128 (no 1).

Terms and conditions, ch 128 (no 1).

Finance transactions.

Model finance transaction policies, ch 128 (no 1).

General obligation bonds.

Initial resolution, ch 128 (no 1).

Interfund loans, ch 128 (no 1).

Public works projects.

Notes of local governments.

Comptroller review, ch 128 (no 1).

Revenue refunding bonds.

Findings required for issuance, ch 128 (no 1).

M

MANUFACTURING DAY.

Observance of Tennessee manufacturing day, ch 132 (no 1).

MARRIAGE.

Solemnization.

General assembly members presiding, ch 119 (no 1).

MENTAL HEALTH.

Department of mental health and substance abuse services.

Surplus property.

Sale or lease, ch 36 (no 1).

MENTAL HEALTH SERVICE RECIPIENTS.

Residential service recipients.

Death of recipient.

Notification to medical examiner, ch 62 (no 1).

MISSING CHILDREN RECOVERY.

Reports.

Initial missing child report, time for making.

Evelyn Boswell's Law, ch 107 (no 1).

MOTION PICTURES.

Excise tax.

Credits.

Film, pilot episodes, video games, audio or visual post-production or other qualified production activities.

Qualified payroll expenses, taking as credit against franchise or excise tax, ch 70 (no 1).

MOTION PICTURES —Cont'd**Franchise tax.****Credits.**

Film, pilot episodes, video games, audio or visual post-production or other qualified production activities.

Qualified payroll expenses, taking as credit against franchise or excise tax, ch 70 (no 1).

Sales and use taxes.**Exemptions.**

Film, pilot episodes, video games, audio or visual post-production or other qualified production activities.

Tangible personal property, software or services used for qualified productions, ch 70 (no 1).

MOTORCYCLE AND OFF-ROAD VEHICLE DEALER FAIRNESS.**All-terrain vehicles.**

Defined, ch 103 (no 1).

MOTOR VEHICLE REGISTRATION.**Boat transport plates,** ch 97 (no 1).**Expressive language or communication of needs to law enforcement or other first responders, assistance with.**

2021 Precious Cargo Act, ch 55 (no 1).

MOTOR VEHICLES.**Liens.****Temporary liens.**

Application, ch 171 (no 1).

Off-highway vehicles.

Definition of class I off-highway vehicle, ch 103 (no 1).

Operation.

Definition of motor vehicle, ch 56 (no 1).

Sales.**Licenses.****Auction sales.**

When license required, ch 66 (no 1).

MUNICIPAL CORPORATIONS.**Travel and expenses of officers and employees.**

Filing policies as to with comptroller, ch 127 (no 1).

MUNICIPAL UTILITIES.**Bond issues.**

Revenue anticipation notes, ch 128 (no 1).

MUSIC.**African-American music appreciation month.**

Observance, ch 95 (no 1).

MY BELOVED TENNESSEE.**State poem of Tennessee,** ch 118 (no 1).**N****NATIONAL ANTHEM.****Star-Spangled Banner day.**

Observance, ch 167 (no 1).

NONPROFIT GAMING LAW.**Annual events.**

Delay from approved date in holding event.

Maximum delay, ch 1 (no 1).

NURSING HOMES.**Electronic transmission of physician, advanced practice registered nurse or physician assistant orders,** ch 124 (no 1).**Temporary nurse aides.**

Certification as nursing assistants, ch 148 (no 1).

O**OCCUPATIONAL AND PHYSICAL THERAPISTS.****Dry needling of upper limb not considered practice of acupuncture,** ch 143 (no 1).**Practice of physical therapy.**

Referrals and exceptions to referral requirements, ch 130 (no 1).

OFF-HIGHWAY VEHICLES.**Highway use.**

Where permitted, ch 123 (no 1).

P**PANDEMIC.****Death in line of duty.**

Infectious diseases causing disability or death.

COVID-19 or other disease resulting in pandemic and declaration of state of emergency, ch 142 (no 1).

PARENT AND CHILD.**Substance use disorder.**

Pregnant women and women with children.

Treatment.

Funding for development of treatment, ch 197 (no 1).

PARKS.**State parks.**

Commission as law enforcement offices.

Scope of authority, ch 135 (no 1).

Cumberland Trail state park.

Designation as Justin P. Wilson Cumberland Trail State Park, ch 38 (no 1).

PHARMACY.**Compounding pharmacies.**

Licensing, ch 149 (no 1).

PLANNING.**Municipal planning regulations.****Subdivisions.**

Maps and plats.

Transactions prior to obtaining approval, ch 39 (no 1).

Regional planning regulations.**Subdivisions.**

Unrecorded subdivisions, transferring lots in, ch 39 (no 1).

POLICE AND OTHER LAW ENFORCEMENT OFFICERS.

Deadly force, use.

Well-grounded apprehension of grave sexual abuse.

2020 Defense Doctrine, ch 83 (no 1).

Firearms and other weapons.

Confiscation.

Exchange by law enforcement for equipment usable for legitimate law enforcement purposes, ch 166 (no 1).

Motor vehicle registration.

Expressive language or communication of needs to law enforcement or other first responders, assistance with.

2021 Precious Cargo Act, ch 55 (no 1).

POPULAR NAMES AND SHORT TITLES.

Business fairness act, ch 155 (no 1).

Commercial property assessed clean energy and resilience act, ch 138 (no 1).

Evelyn Boswell's Law, ch 107 (no 1).

SEM advancement act, ch 170 (no 1).

Teacher's discipline act, ch 77 (no 1).

Terrence's law, ch 186 (no 1).

2020 Defense Doctrine, ch 83 (no 1).

2021 Precious Cargo Act, ch 55 (no 1).

Uniformity in local government lease financing act of 2021, ch 196 (no 1).

PREGNANCY.

Substance use disorder.

Pregnant women and women with children.

Treatment.

Funding for development of treatment, ch 197 (no 1).

PRESCHOOL, PRE-K AND OTHER EARLY EDUCATION MATTERS.

Teacher accountability and evaluation, Ex Sess ch 2 (no 1).

PRISONS AND PRISONERS.

Health.

Mammograms and other screening for female inmates, ch 168 (no 1).

Mammograms and other screening for female inmates, ch 168 (no 1).

Women.

Mammograms and other screening for female inmates, ch 168 (no 1).

PUBLIC BUILDING AUTHORITIES.

Capital outlay notes.

Conversion into loan, ch 128 (no 1).

PUBLIC BUILDINGS.

Disabilities, persons with.

Dynamic accessibility symbol and signage.

Updating signs, timing, ch 173 (no 1).

PUBLIC EMPLOYEE RETIREMENT.

Local governments, participation in system.

Departments, agencies, etc, of participating government becoming separate local government, ch 156 (no 1).

PUBLIC WORKS.

Local government public obligation law.

Notes of local governments.

Comptroller review, ch 128 (no 1).

PURCHASES.

Comptroller.

Items to be reviewed and approved by comptroller, ch 193 (no 1).

R

RAILROADS.

Grade crossings.

Reporting blocked highway-rail grade crossings, ch 178 (no 1).

RAPE AND OTHER SEX OFFENSES.

Child victims.

Aggravated rape of child.

Punishment, ch 104 (no 1).

REAL ESTATE BROKERS.

Compensation received directly to business entity, ch 94 (no 1).

REAL PROPERTY.

Water on property.

Signs warning of health, safety or dangerous natural conditions.

Homeowners' associations.

Restrictions on authority of associations, ch 80 (no 1).

REGISTRATION OF INSTRUMENTS.

Electronic documents.

Certification, ch 181 (no 1).

S

SAFETY.

Electrical safety.

Inspections of electrical equipment, ch 177 (no 1).

Qualifications of workers, ch 177 (no 1).

SALES AND USE TAXES.

Exemptions.

Continuing education for professional licensees.

Online access, ch 139 (no 1).

Film, pilot episodes, video games, audio or visual post-production or other qualified production activities.

Tangible personal property, software or services used for qualified productions, ch 70 (no 1).

Pipes, pipelines or tanks after becoming attached to building, structure, etc, ch 86 (no 1).

Railroads, railroad structures, tracks, etc, ch 86 (no 1).

SCHOOL BUSES.

Contracts for transportation services.

Duration, ch 146 (no 1).

SCHOOLS AND EDUCATION.

Advanced courses.

Academic acceleration policies.

SEM advancement act, ch 170 (no 1).

SCHOOLS AND EDUCATION —Cont'd**Child abuse and child neglect or endangerment.**

Reporting by teachers, school officials and other school personnel.

Parental notification when federal law requires, ch 161 (no 1).

Curriculum.

Advanced courses.

Academic acceleration policies.

SEM advancement act, ch 170 (no 1).

Discipline.

Force used in disciplining.

Justification for reasonable use of force, ch 188 (no 1).

Teacher's discipline act, ch 77 (no 1).

Elementary schools.

Response to instruction and intervention (RTI²) framework.

Determination of instruction provided, ch 57 (no 1).

Emergency closing of school to in-person learning and instruction.

Decisionmaking in consultation with health departments, ch 96 (no 1).

Extracurricular activities.

4-H, student participation, ch 116 (no 1).

4-H, student participation, ch 116 (no 1).**Immunization of pupils.**

Out-of-state records evidencing immunization, ch 169 (no 1).

Instructional time.

Excess time, accumulation and application, ch 180 (no 1).

Learning loss remediation and student acceleration act, Ex Sess ch 1 (no 1).**Literacy success act, Ex Sess ch 3 (no 1).****School performance goals, Ex Sess ch 2 (no 1).****School report cards, Ex Sess ch 2 (no 1).****Speech-language pathologists.**

Survey to determine sufficiency of staffing to adequately serve student needs, ch 34 (no 1).

Sports.

Gender for purposes of participation.

Birth certificate gender determines, ch 40 (no 1).

Student assessments.

Postsecondary education readiness, Ex Sess ch 2 (no 1).

Vapor products.

Health department.

Information from CDC as to health effects and dangers of vapor products.

Dissemination to middle and high school students, ch 157 (no 1).

SEM ADVANCEMENT ACT, ch 170 (no 1).**SENTENCING.****Rape.**

Child victims.

Aggravated rape of child.

Punishment, ch 104 (no 1).

SICKLE CELL DISEASE.**TennCare review of medications and treatments.**

Terrence's law, ch 186 (no 1).

SOFT DRINKS.**Taxation of bottled soft drinks.**

Extension of temporary tax, ch 158 (no 1).

SPECIAL EDUCATION.**Behavioral intervention and support.**

Isolation, ch 134 (no 1).

Physical holding restraint, ch 134 (no 1).

Individualized education accounts.

Tax exemptions for contributions, etc, made to or on behalf of participants, ch 113 (no 1).

SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS.**Schools and education.**

Department of education to survey to determine sufficiency of staffing to adequately serve student needs, ch 34 (no 1).

SPORTS.**School sports.**

Gender for purposes of participation.

Birth certificate gender determines, ch 40 (no 1).

STAR-SPANGLED BANNER DAY.**Observance, ch 167 (no 1).****STATE DEPARTMENTS AND AGENCIES.****Collection of state funds.**

Third party collections on behalf of state departments, agencies, etc.

Agreements between state and third party, ch 172 (no 1).

Entity review, agencies subject to.

Rulemaking to exempt members of entity from rules, policies, guidelines, etc.

Restrictions, ch 37 (no 1).

STATE PARKS.**Cumberland Trail state park.**

Designation as Justin P. Wilson Cumberland Trail State Park, ch 38 (no 1).

STATE POEM OF TENNESSEE, ch 118 (no 1).**STATUTE OF LIMITATIONS.****TennCare (medical assistance).**

Bureau of TennCare.

Claims against decedents' estates, ch 102 (no 1).

SUBDIVISIONS.**Maps and plats.**

Transactions prior to obtaining approval, ch 39 (no 1).

Unrecorded subdivisions, transferring lots in, ch 39 (no 1).**SUBSTANCE USE DISORDER.****Pregnant women and women with children.**

Treatment.

Funding for development of treatment, ch 197 (no 1).

SUNSET LAW.**2021 terminations (4-29-242).**

Aeronautics commission.

Deleted, ch 31 (no 1).

SUNSET LAW —Cont'd

2021 terminations (4-29-242) —Cont'd

- Alcoholic beverage commission.
 - Deleted, ch 82 (no 1).
- Alzheimer's disease and related dementia advisory council.
 - Deleted, ch 26 (no 1).
- Athletic commission.
 - Deleted, ch 32 (no 1).
- Autism spectrum disorder, council.
 - Deleted, ch 46 (no 1).
- Beef promotion board.
 - Deleted, ch 2 (no 1).
- Career and technical education, Tennessee council.
 - Deleted, ch 45 (no 1).
- Chiropractic examiners board.
 - Deleted, ch 3 (no 1).
- Communication disorders and science board.
 - Deleted, ch 4 (no 1).
- Competitive integrated employment for individuals with severe disabilities, committee for providing.
 - Deleted, ch 72 (no 1).
- Dairy promotion committee.
 - Deleted, ch 47 (no 1).
- Delta human resource agency.
 - Deleted, ch 11 (no 1).
- Dentistry board.
 - Deleted, ch 5 (no 1).
- Dispensing opticians board.
 - Deleted, ch 6 (no 1).
- East Tennessee human resources agency.
 - Deleted, ch 13 (no 1).
- Economic and community development department.
 - Deleted, ch 42 (no 1).
- Egg promotion board.
 - Termination of board, ch 14 (no 1).
- Emergency communications board.
 - Deleted, ch 73 (no 1).
- Financial institutions department.
 - Deleted, ch 43 (no 1).
- Financial literacy commission.
 - Deleted, ch 48 (no 1).
- First Tennessee human resources agency.
 - Deleted, ch 15 (no 1).
- Forestry commission.
 - Deleted, ch 28 (no 1).
- Intergovernment relations, Tennessee advisory commission.
 - Deleted, ch 30 (no 1).
- James K. Polk memorial association.
 - Deleted, ch 16 (no 1).
- Judicial conduct board.
 - Deleted, ch 111 (no 1).
- Land surveyors, state board of examiners.
 - Deleted, ch 27 (no 1).
- Medical examiners board.
 - Physician assistants committee.
 - Deleted, ch 7 (no 1).
- Mental health and substance abuse services department.
 - Deleted, ch 12 (no 1).

SUNSET LAW —Cont'd

2021 terminations (4-29-242) —Cont'd

- Mental health and substance abuse services department —Cont'd
 - Statewide planning and policy council for department.
 - Deleted, ch 29 (no 1).
- Mid-Cumberland human resource agency.
 - Deleted, ch 17 (no 1).
- Northwest Tennessee human resource agency.
 - Deleted, ch 18 (no 1).
- Occupational safety and health review commission.
 - Deleted, ch 74 (no 1).
- Ocoee river recreation and economic development fund board.
 - Deleted, ch 19 (no 1).
- Optometry board.
 - Deleted, ch 8 (no 1).
- Podiatric medical examiners board.
 - Deleted, ch 9 (no 1).
- Pork promotion board.
 - Deleted, ch 20 (no 1).
- Private probation services council.
 - Deleted, ch 21 (no 1).
- Psychology, board of examiners.
 - Deleted, ch 71 (no 1).
- Public charter school commission.
 - Deleted, ch 49 (no 1).
- Public utility commission.
 - Deleted, ch 50 (no 1).
- Regional transportation authority of middle Tennessee.
 - Deleted, ch 81 (no 1).
- Second look commission.
 - Deleted, ch 109 (no 1).
- South Central Tennessee human resource agency.
 - Deleted, ch 22 (no 1).
- Southeastern interstate forest fire protection compact.
 - Deleted, ch 24 (no 1).
- Southeast Tennessee human resource agency.
 - Deleted, ch 23 (no 1).
- Southwest Tennessee human resource agency.
 - Deleted, ch 25 (no 1).
- Soybean promotion board.
 - Deleted, ch 51 (no 1).
- Technology development corporation.
 - Deleted, ch 52 (no 1).
- TennCare pharmacy advisory committee.
 - Deleted, ch 110 (no 1).
- Tennessee bureau of investigation (TBI).
 - Deleted, ch 44 (no 1).
- Tennessee State University.
 - Board of trustees.
 - Deleted, ch 75 (no 1).
- Textbook and instructional materials quality commission.
 - Deleted, ch 159 (no 1).
- Upper Cumberland human resource agency.
 - Deleted, ch 54 (no 1).
- Veterinary medical examiners board.
 - Deleted, ch 10 (no 1).

SUNSET LAW —Cont'd**2021 terminations (4-29-242) —Cont'd**

- Wine and grape board.
Deleted, ch 53 (no 1).
- Workers' compensation, advisory council.
Deleted, ch 41 (no 1).

2023 terminations (4-29-244).

- Corn promotion board, ch 145 (no 1).
- Psychology, board of examiners.
Professional art therapist advisory committee of board, ch 160 (no 1).
- Public charter school commission, ch 49 (no 1).
- Tennessee State University.
Board of trustees, ch 75 (no 1).
- Textbook and instructional materials quality commission, ch 159 (no 1).

2024 terminations (4-29-245).

- Regional transportation authority of middle Tennessee, ch 81 (no 1).

2025 terminations (4-29-246).

- Athletic commission, ch 32 (no 1).
- Economic and community development department, ch 42 (no 1).
- Emergency communications board, ch 73 (no 1).
- Financial institutions department, ch 43 (no 1).
- Judicial conduct board, ch 111 (no 1).
- Mental health and substance abuse services department, ch 12 (no 1).
- Statewide planning and policy council for department, ch 29 (no 1).
- Private probation services council, ch 21 (no 1).
- Second look commission, ch 109 (no 1).
- Technology development corporation, ch 52 (no 1).
- Tennessee bureau of investigation (TBI), ch 44 (no 1).
- Wine and grape board, ch 53 (no 1).
- Workers' compensation, advisory council, ch 41 (no 1).

2026 terminations (4-29-247).

- Alzheimer's disease and related dementia advisory council, ch 26 (no 1).
- Autism spectrum disorder, council, ch 46 (no 1).
- Career and technical education, Tennessee council, ch 45 (no 1).
- Chiropractic examiners board, ch 3 (no 1).
- Communication disorders and science board, ch 4 (no 1).
- Competitive integrated employment for individuals with severe disabilities, committee for providing, ch 72 (no 1).
- Delta human resource agency, ch 11 (no 1).
- Dentistry board, ch 5 (no 1).
- Dispensing opticians board, ch 6 (no 1).
- East Tennessee human resources agency, ch 13 (no 1).
- First Tennessee human resources agency, ch 15 (no 1).
- Medical examiners board.
Physician assistants committee, ch 7 (no 1).
- Mid-Cumberland human resource agency, ch 17 (no 1).
- Northwest Tennessee human resource agency, ch 18 (no 1).

SUNSET LAW —Cont'd**2026 terminations (4-29-247) —Cont'd**

- Podiatric medical examiners board, ch 9 (no 1).
 - Psychology, board of examiners, ch 71 (no 1).
 - Southwest Tennessee human resource agency, ch 25 (no 1).
 - Upper Cumberland human resource agency, ch 54 (no 1).
 - Veterinary medical examiners board, ch 10 (no 1).
- 2027 terminations (4-29-248).**
- Aeronautics commission, ch 31 (no 1).
 - Alcoholic beverage commission, ch 82 (no 1).
 - Financial literacy commission, ch 48 (no 1).
 - Forestry commission, ch 28 (no 1).
 - James K. Polk memorial association, ch 16 (no 1).
 - Land surveyors, state board of examiners, ch 27 (no 1).
 - Occupational safety and health review commission, ch 74 (no 1).
 - Optometry board, ch 8 (no 1).
 - Public utility commission, ch 50 (no 1).
 - South Central Tennessee human resource agency, ch 22 (no 1).
 - Southeastern interstate forest fire protection compact, ch 24 (no 1).
 - Southeast Tennessee human resource agency, ch 23 (no 1).
 - TennCare pharmacy advisory committee, ch 110 (no 1).

2028 terminations (4-29-249).

- Ocoee river recreation and economic development fund board, ch 19 (no 1).

2029 terminations (4-29-250).

- Beef promotion board, ch 2 (no 1).
- Dairy promotion committee, ch 47 (no 1).
- Intergovernment relations, Tennessee advisory commission, ch 30 (no 1).
- Pork promotion board, ch 20 (no 1).
- Soybean promotion board, ch 51 (no 1).

Entities subject to entity review.

- Rulemaking to exempt members of entity from rules, policies, guidelines, etc.
- Restrictions, ch 37 (no 1).

T**TAXATION.****Alcoholic beverages.**

- Barrel tax.
Extension of temporary tax, ch 158 (no 1).

Soft drinks.

- Taxation of bottled soft drinks.
Extension of temporary tax, ch 158 (no 1).

TEACHERS AND OTHER SCHOOL PERSONNEL.**Accountability and evaluation, Ex Sess ch 2 (no 1).****Discipline of students.**

- Teacher's discipline act, ch 77 (no 1).

Kindergarten programs.

- Accountability and evaluation, Ex Sess ch 2 (no 1).

TEACHERS AND OTHER SCHOOL

PERSONNEL —Cont'd

Licensing of teachers, principals and supervisors.

Reciprocity, ch 125 (no 1).

Pre-kindergarten programs.

Accountability and evaluation, Ex Sess ch 2 (no 1).

Tenure.

Evaluations, Ex Sess ch 2 (no 1).

TELEHEALTH/TELEMEDICINE.

Behavioral health services.

HIPAA-compliant audio-only conversation to provide, ch 191 (no 1).

Healthcare providers.

Graduates of or enrolled students in professional training programs.

Eligibility to provide telehealth services, ch 179 (no 1).

Store-and-forward telemedicine services, ch 153 (no 1).

TENNCARE (MEDICAL ASSISTANCE).

Bureau of TennCare.

Claims against decedents' estates.

Limitation of actions, ch 102 (no 1).

Sickle cell disease.

TennCare review of medications and treatments.

Terrence's law, ch 186 (no 1).

TENNESSEE BUREAU OF INVESTIGATION (TBI).

Handgun carry permits.

Fees.

Audit of TBI.

Repeal, ch 195 (no 1).

TENNESSEE CODE ANNOTATED.

Reenacting general and permanent legislation

(code bill), ch 33 (no 1).

TENNESSEE MANUFACTURING DAY.

Observance, ch 132 (no 1).

TERMINATION OF PARENTAL RIGHTS.

Factors in determining whether termination is in best interest of child, ch 190 (no 1).

TERRENCE'S LAW, ch 186 (no 1).

TOBACCO TAX.

Smokeless nicotine products, ch 69 (no 1).

TRANSGENDER.

School sports.

Gender for purposes of participation.

Birth certificate gender determines, ch 40 (no 1).

TRUE ORIGIN OF GOODS ACT.

Actions for declaratory judgment and injunction against person violating act, ch 87 (no 1).

2020 DEFENSE DOCTRINE, ch 83 (no 1).

2021 PRECIOUS CARGO ACT, ch 55 (no 1).

U

UNIVERSITY AND POSTSECONDARY EDUCATION.

Higher education commission.

Reports.

Consolidation, streamlining, elimination, etc, of commission reports, ch 183 (no 1).

State university and community college system.

Search committee process for hiring certain positions, ch 92 (no 1).

Tuition.

Discount or waiver.

Failure of general assembly to fund discount or waiver.

Effect, ch 120 (no 1).

State-mandated discount or waiver program.

Defined, ch 120 (no 1).

UNIVERSITY OF TENNESSEE.

State university and community college system.

Search committee process for hiring certain positions, ch 92 (no 1).

UTILITY DISTRICTS.

Travel and expenses of officers and employees.

Filing policies as to with comptroller, ch 127 (no 1).

V

VACCINATIONS.

Schools and education.

Immunization of pupils.

Out-of-state records evidencing immunization, ch 169 (no 1).

VAPOR PRODUCTS.

Health department.

Information from CDC as to health effects and dangers of vapor products.

Dissemination to middle and high school students, ch 157 (no 1).

VETERANS.

Department of veterans services.

Branch offices.

Service officers.

Qualifications, ch 63 (no 1).

Women's veterans day.

Observance on June 12, ch 35 (no 1).

VIDEO GAMES.**Excise tax.****Credits.**

Film, pilot episodes, video games, audio or visual post-production or other qualified production activities.

Qualified payroll expenses, taking as credit against franchise or excise tax, ch 70 (no 1).

Franchise tax.**Credits.**

Film, pilot episodes, video games, audio or visual post-production or other qualified production activities.

Qualified payroll expenses, taking as credit against franchise or excise tax, ch 70 (no 1).

Sales and use taxes.**Exemptions.**

Film, pilot episodes, video games, audio or visual post-production or other qualified production activities.

Tangible personal property, software or services used for qualified productions, ch 70 (no 1).

VISITATION OF CHILDREN.**Rape resulting in conception.**

Prohibition of custody and visitation rights for persons convicted or pleading guilty to lesser included offense, ch 164 (no 1).

W**WASTEWATER TREATMENT WORKS.****Financing and loans.**

Privately owned community systems.

Applicability of provisions, ch 99 (no 1).

WATER SUPPLY AND WATERWORKS.**Drinking water revolving loan fund.****Loans.**

Amortization period, ch 79 (no 1).

WATER TREATMENT AUTHORITIES.**Commissioners.**

Per diem payments, ch 126 (no 1).

WORKERS' COMPENSATION.**Attorneys' fees.**

Criteria for award by court of workers' compensation, ch 152 (no 1).

Construction industry.

Construction service providers.

Injuries occurring between December 2019 and September 2021.

Nonliability of contractor, ch 90 (no 1).

Exemption from insurance requirement.

Eligibility, ch 88 (no 1).

Fraudulent exemptions, ch 189 (no 1).

Reinstatement of revoked exemption, ch 88 (no 1).

Revocation of exemption, ch 189 (no 1).

Investigations to determine insurance compliance, ch 189 (no 1).

Liability for injured employees.

General contractor, intermediate contractors or subcontractors, ch 189 (no 1).

Insurance.

Actions by administrator to enforce requirements, ch 189 (no 1).

Investigations to determine insurance compliance, ch 189 (no 1).

Misclassification of employees to manipulate premiums, ch 189 (no 1).

Uninsured employers fund.

Use of money in fund, ch 189 (no 1).

